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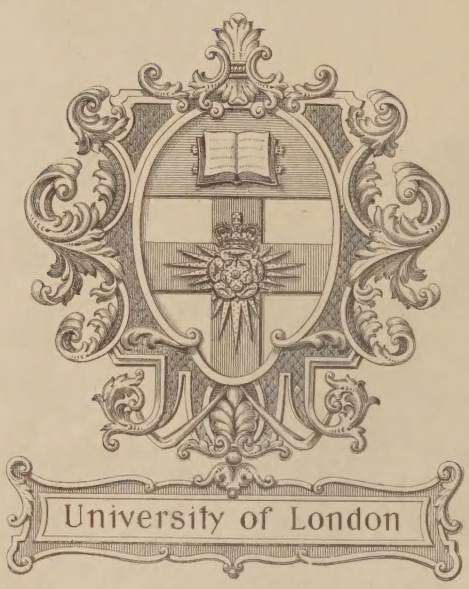


ACCOUNTS AND PAPERS:

THIRTY-SIX VOLUMES.

—(35.)—

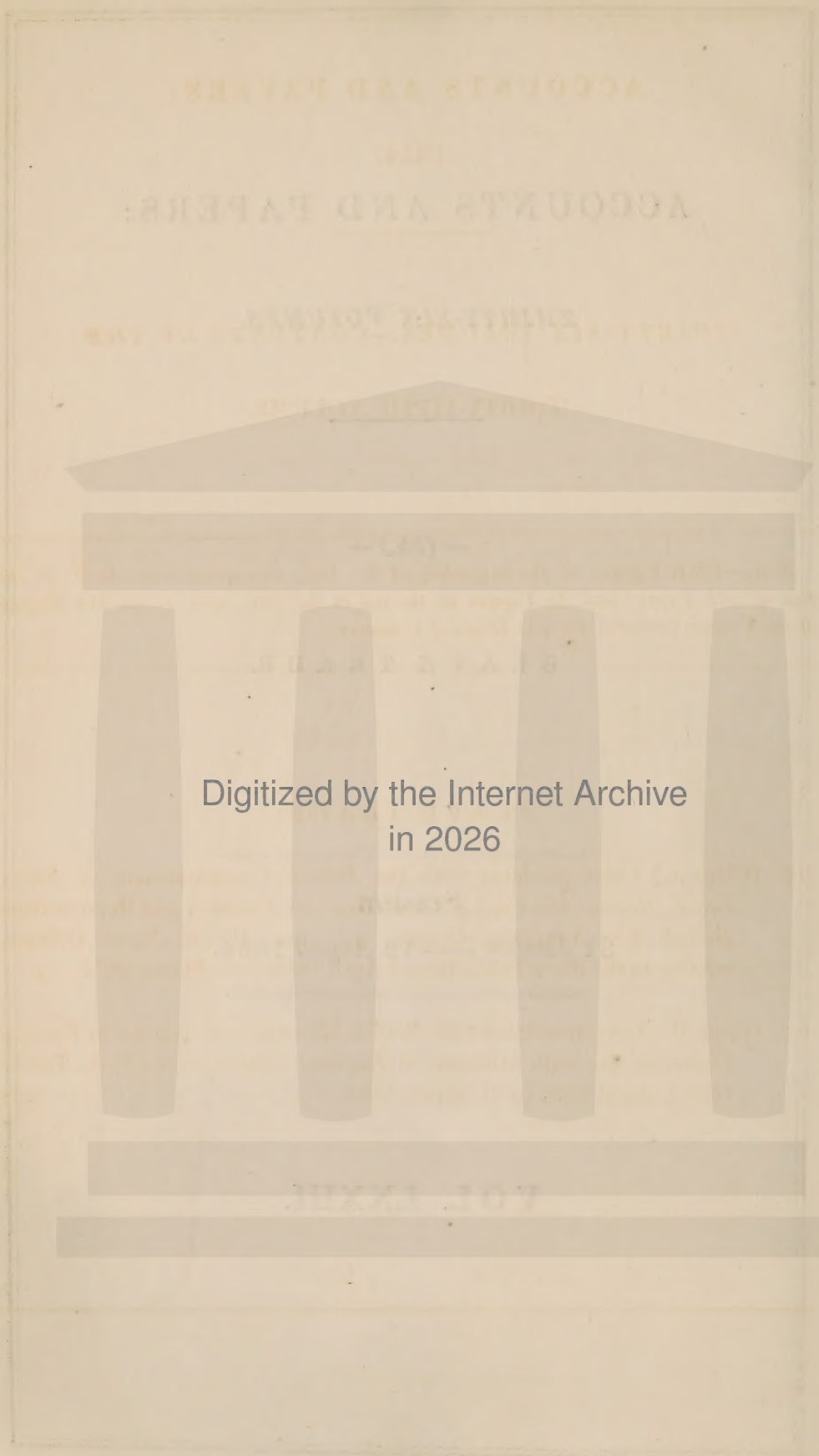
SLAVE TRADE.

Session

31 *January* —— 12 *August* 1854.

VOL. LXXIII.

1854.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1854.

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1854.

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CORRESPONDENCE

WITH THE

BRITISH COMMISSIONERS

AT

SIERRA LEONE, HAVANA, THE CAPE OF GOOD HOPE, AND LOANDA;

AND

REPORTS FROM

BRITISH VICE-ADMIRALTY COURTS,

AND FROM

BRITISH NAVAL OFFICERS,

RELATING TO

THE SLAVE TRADE.

From April 1, 1853, to March 31, 1854.

Presented to both Houses of Parliament by Command of Her Majesty.
1854.

LONDON:
PRINTED BY HARRISON AND SONS.

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Class A.

CORRESPONDENCE

WITH

BRITISH COMMISSIONERS.

SIERRA LEONE. (*General.*)

No. 1.

Her Majesty's Commissary Judge, ad interim, *to Lord Wodehouse.*
(*Received August* 16.)

My Lord, *Sierra Leone, June* 30, 1853.

I HAVE the honour to acquaint your Lordship that no case has come before the British and Netherlands, British and Spanish, British and Argentine, British and Uruguayan, British and Bolivian, nor the British and Chilian Mixed Courts of Justice, established in this Colony for the prevention of the illicit Traffic in Slaves, during the half-year ending this day.

I have, &c.
(Signed) ARTHUR KENNEDY, *Governor.*

No. 2.

Her Majesty's Commissary Judge, ad interim, *to the Earl of Clarendon.*—
(*Received August* 16.)

My Lord, *Sierra Leone, July* 4, 1853.

I HAVE the honour to transmit herewith for your Lordship's information, a Return of vessels captured for being engaged in the Slave Trade, and prosecuted in the Vice Admiralty Court of this Colony, between the 1st of January and the 30th of June, 1853, under the Act 2nd and 3rd Victoria, cap. 73.

I have, &c.
(Signed) ARTHUR KENNEDY, *Governor.*

Inclosure in No. 2.

RETURN of VESSELS captured on suspicion of being engaged in the Slave Trade, and Adjudicated by the Vice Admiralty Court at SIERRA LEONE, from 1st January to 30th June, 1853.

Name of Vessel.	Flag.	Name of Master.	Date of Seizure.	Where Captured.	Property seized.	Seizor.	Date of Sentence.	Number of Slaves.			Tonnage.			Decretal part of Sentence, whether Forfeiture or Restitution.	Statute under which sentence was passed, or prosecution instituted.	Whether Property condemned has been sold or converted, and whether any part remains unsold, and in whose hands the proceeds remain.	Remarks.
								Captured.	Died before Adjudication.	Total number Emancipated.	Foreign according to the Papers.	English.					
												Old Measurement.	New Measurement.				
			1853				1853					Under Statute 8 & 9 Vic. c. 89.					
												16 Sec.	19 Sec.				
Restaurador	—	Juan Coll	Mar. 18	River Bonny	Schooner and Stores	R. Macdonald Esq., Commander of H. M. S. "Ferret."	May 3	...	...	...	...	$89\frac{444}{800}$	$102\frac{9}{15}$	Forfeiture	2 and 3 Vic. c. 73	The Hull of the Vessel was broken up and entirely destroyed by fire. The materials and stores sold by public auction. Proceeds at present in the hands of the Marshal.	This Vessel was fully equipped for the Slave Trade.—No papers were found on board.
Paulina	No Flag.	Unknown	April 30	Rio Pongo	Brigantine and Stores	Henry Need, Esq., Commander of H. M. S. "Linnet."	May 14	...	...	...	...	$126\frac{429}{875}$	$151\frac{31}{64}$	Ditto	Ditto	Ditto	Ditto.
Unknown	—	Ditto	April 30	Ditto	Schooner and Stores	Ditto.	May 14	...	...	...	...	*	$69\frac{53}{100}$	Ditto	Ditto	Ditto	Ditto.

* From the leaky state of this Vessel, and from having a large quantity of water in her hold, it was found impracticable to admeasure her under the 16th Section of the Act.

Sierra Leone, 1st July, 1853.

(Signed) GEO. W. NICOL,
Assistant Registrar.

No. 3.

Her Majesty's Commissary Judge, ad interim, *to Lord Wodehouse.*
(*Received February* 13, 1854.)

My Lord, *Sierra Leone, December* 31, 1853.

I HAVE the honour to acquaint your Lordship, that no case has come before the British and Netherlands, British and Spanish, British and Argentine, British and Uruguayan, British and Bolivian, nor the British and Chilian Mixed Courts of Justice, established in this Colony for the prevention of the illicit Traffic in Slaves, during the half-year ending this day.

I have, &c.

(Signed) ARTHUR KENNEDY, *Governor.*

No. 4.

Her Majesty's Commissary Judge, ad interim, *to the Earl of Clarendon.*
(*Received February* 13.)

My Lord, *Sierra Leone, January* 12, 1854.

I HAVE the honour to submit to your Lordship my Report on the state of the Slave Trade on this coast during the year 1853.

No judicial proceedings were instituted before any of the Mixed Tribunals established in this Colony during that period.

The total number of cases prosecuted before the several Mixed Courts since their establishment here in June 1819, is 530; 503 of which were cases of confiscation, and 27 were either withdrawn, dismissed, or restored to the claimants.

In the same period 64,625 slaves have been emancipated by the Mixed Courts; of whom 56,935 have been registered.

During the year 1853, three cases were tried and condemned by the Vice Admiralty Court of this Colony, under the Act 2nd and 3rd Victoria, cap. 73.

The first of these vessels was taken in the River Bonny, by Commander R. Macdonald, of Her Majesty's sloop "Ferret," and the other two were captured in the Rio Pongas by Her Majesty's sloop "Linnet," Commander, Henry Need.

The ship's papers of these vessels were either taken on shore by their respective masters, or destroyed prior to capture; consequently, neither their nationality, nor the ports of clearance, or destination, could be ascertained.

My belief, however, is, that they were *bonâ fide* Spanish vessels; and had they not been happily captured, would have returned to the Island of Cuba with cargoes of slaves. It is within my knowledge that the slaves were ready for shipment and paid for.

To the north of this colony attempts have been made to revive the Slave Trade. The seizure of two slave vessels in the Rio Pongas sufficiently proves this.

In the early part of the year 1853, several slave dealers were expelled from the Sherbro. I procured the surrender of Don Crispo, a notorious slave dealer, who had been previously expelled from the Gallinas, but returned to the coast in 1852, and recommenced his Slave Trade operations in the Sherbro. He admits having shipped one cargo in that year. Crispo was transferred by me to the Representative of the Spanish Government in this colony, the Chevalier Adolfo de Guillemar de Aragon, and conveyed to the Canaries in one of Her Majesty's steamers, where he was delivered up to the Spanish authorities. I also procured the surrender of another notorious slave dealer, named Hermes, by the chiefs in the same locality. He too had been expelled from the Gallinas on a former occasion. This man claimed Danish nationality, and I was unable to proceed against him. He was the partner and associate of Don Crispo.

In my last annual Report, I had occasion to bring under the notice of Her Majesty's Principal Secretary of State for Foreign Affairs, the proceedings of Crispo in the Sherbro, where he succeeded in shipping a cargo of slaves.

It is reported, and I believe, that two or three slave vessels have escaped from the Bights during the past year, and that two or three cargoes have been shipped for the Island of Cuba from the coast lying between the Congo and Ambriz.

The Brazilian Slave Trade seems for the present to be entirely suppressed, owing to the stringent measures adopted by the Government of that country; and if the Spanish authorities in Cuba would follow that example, a similar result would doubtless ensue.

It is, however, a matter of congratulation, that the export Slave Trade on this coast is much reduced when compared with previous years, during which thousands of slaves were annually exported from Africa into the Brazils, and into the Spanish possessions in the West Indies.

It has been proved that the Slave Trade can only be eradicated by the substitution in its place of legitimate commerce, which is advancing, and will, no doubt, be facilitated by the establishment of the monthly steam-packets touching at the principal ports on this coast. If the native chiefs, therefore, would adhere to their Treaty engagements with England, and turn their attention to agriculture, the object for which the British Government has been contending at enormous sacrifices for the last thirty-eight years would be finally accomplished.

I have, &c.

(Signed) ARTHUR KENNEDY, *Governor.*

HAVANA.

No. 5.

Her Majesty's Acting Commissary Judge to Lord John Russell.
(*Received April* 2.)

My Lord, *Havana, March* 13, 1853.

I HAVE the honour to report that I have this day received from the Government of this island, one man, one woman, and four children, of the class of emancipated Africans, for removal from this island, and that I had them placed on board the steam-ship "Dee," which vessel sails hence with them on board.

These, with the numbers previously reported, make a total of 404 men, 195 women, and 147 children.

For the passage-money I paid 96 dollars, and a further sum of 36 dollars for their maintenance on board.

The total amount I have paid is 132 dollars, for which, with boat hire, &c., I shall have to draw at the end of the quarter.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure in No. 5.

RETURN of EMANCIPADOS sent to Jamaica from Havana in the Steam-ship "Dee," March 13, 1853.

Names.	Apparent Age.	When Introduced,	How Emancipated.
MALES.			
Lugardo	39 years.	18th March, 1826	Mixed Court.
FEMALES.			
Mamerta, with four children, named Petronila, Ysabel, José, and Juan	39 years.	18th December, 1828	Mixed Court.

No. 6.

Her Majesty's Acting Commissary Judge to Lord John Russell.
(*Received April* 18.)

My Lord, *Havana, March* 21, 1853.

IN my despatch of the 5th of February last, I did myself the honour of reporting to your Lordship, that the "*Venus*" and "*Carlota*," two of the vessels detained by Her Majesty's ship "Vestal," had been condemned as good prizes, and that the case of the brig "*Arrogante Emilio*" was still pending in

the Mixed Court. On the 21st ultimo, the Spanish Judge delivered his judgment, having seen the opinion which I expressed, condemnatory of said vessel, copy of which I have now the honour of transmitting to your Lordship; and the Marques de Esteva's conclusions being quite at variance with mine, recourse was had to the Spanish Arbitrator, the Brigadier Ylias, who excused himself upon the pleas of ill health and a recent domestic affliction under which he was suffering: so that the duty, as provided for by the Treaty, devolved upon the Captain General, who also declined to act; and, therefore, His Excellency the Regente of the Royal Audiencia became the next in turn.

These circumstances, of course, were productive of considerable delays, and the Court could only meet this morning, when the Regente attended as Arbitrator, and the result was the final sentence, copy of which I have the honour herewith to inclose, by which the detention of the "*Arrogante Emilio*" is declared to have been justifiable, because of the boards, plank, and beams which were found on board without any document from the Custom-house to show that bond had been given to the effect that the said materials should not be applied to the uses of illicit traffic; but restoring the said vessel to her owner, Mr. Carrera, who had proved that his vessel, the "*Arrogante Emilio,*" was not bound to the coast of Africa, nor to be engaged in the Slave Trade. According to the said owner, the amount of the demurrage from the date of detention to the date of final sentence, according to the table or schedule of Article VII, Annex B, of the Treaty of 1835, to be defrayed from the Prize Funds in Court, after the costs of the cause had been paid thereout; but declaring that M. Carrera, the owner of the "*Arrogante Emilio,*" is not entitled to any other indemnification or damages whatsoever, nor to the costs he may have incurred for the defence.

The Spanish Judge, the Marques de Esteva, and the Regente of the Royal Audiencia, as Arbitrator, have made lengthy observations in this case, and have animadverted, not in the most measured terms, upon the procedures of Captain Hamilton, which they qualify as violent and arbitrary, and not conformed to the Articles of the Treaty. They complain of his harsh manner of proceeding in the detention of this vessel; of his having brought her into port without having completely searched her; of his not having left the persons who ought to have been left on board her as directed by the Treaty; and of his having, after the vessel was brought in, continued the search without the master's being present; said Judges giving implicit confidence to the declarations of the Spanish master and crew. The Spanish Arbitrator, in this opinion upon the proceedings, has also thought proper to indulge in exceptions to the Consulate of Her Majesty, founding his observations upon the principle that the Consul-General ought to have denounced the "*Arrogante Emilio*" to the Captain-General, and ought not to have permitted the "Vestal" to sail after, and detain that vessel almost under the guns of the "Morro;" and all these complaints and exceptions are to be shown upon the proceedings, which are ordered to be copied for the purpose of being transmitted to the Governments of Great Britain and Spain,—no doubt with a view to prefer complaints which may take precedence of the just observations to which the Spanish authorities here have laid themselves open for the allowing of so many Slavers to be fitted out and sail from this and from other parts of the island, in the manner the "*Venus*" and "*Arrogante Emilio*" did; the former vessel having been allowed to sail out of this harbour in the night, or at any rate before daylight in the morning, which is contrary to the port regulations; and, as regards the latter, although the fruitlessness of such a proceeding has been so often experienced, still that would not have operated with Her Majesty's Consul-General to induce him to forbear from denouncing her had he known that she was about to sail at the time she did.

The "*Venus*" and the "*Carlota*" are nearly broken up, and the sale of the materials of both vessels will take place in the course of next week.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 6.

Sentence.

(Translation.)

IN the always most faithful city of Havana, on the 21st March, 1853, his Excellency Don José Buenaventura Esteva, Marques de Esteva de las Delicias, &c. &c., Spanish Judge of the Mixed Court established for the abolition of the traffic of African slaves, according to the Treaty of the 28th June, 1835; Joseph T. Crawford, Esq., Consul-General of England, Acting Commissary Judge of the same Court, and his Excellency Don Pedro José Pinazo, Caballero of the Grand Cross of the Royal American order of Isabel la Catolica, Regent of the Royal Audience, and Acting Arbitrator of the same Court, to give the definitive sentence which should be given to these proceedings respecting the detention of the Spanish merchant brig, "*Arrogante Emilio*," by Her Britannic Majesty's frigate, "Vestal," Captain Cospatrick Baillie Hamilton, in consequence of the disagreement of the two Judges, in conformity to what is directed in the fourth Article of Annex B to the Treaty of the 28th June, 1835; and having made an entire examination of all the proceedings which the importance of the matter requires, the opinions of the Judges, with that presented by his Excellency the Arbitrator upon this occasion, having been read and considered by their Excellencies and Honour, all that ought to be looked into, are bound to declare, and do declare, that Don José Joaquin Carrera has proved, as he was bound to do, that the Spanish brigantine, "*Arrogante Emilio*," belonging to him, did not sail from this port to be engaged in the traffic of slaves, but that of the lawful trade of bringing jerked beef from Buenos Ayres; for which reason the said vessel ought not to be condemned; but which he has not done in a manner to make disappear the circumstance which was considered as *primâ facie* evidence by the Commander of the English frigate "Vestal" that she was occupied in said illicit commerce, carrying boards, planks and beams, without having the necessary certificate from the Custom-house of sufficient security having been given by the owner that said materials would only be employed for the purposes he alleges; in consequence of which, declaring that the said brigantine has both been legally detained and brought before this Court, and that she is liberated and given up as free; returning her in the act in the state in which she is found to her Captain, who, as well as the rest of the crew and passengers, are to be put at liberty; with all the papers and documents found on board and delivered to the Court by the Captor, the which shall be separated from the proceedings; in their place a certified copy of them to be put, and inserting a note to account for the alteration of the numbers of the pages; delivering at the same time the 419 Mexican doubloons found also on board, to the said Carrera, through the medium of the Secretary's Office, taking them from the office in which they are deposited; and paying besides, from the funds of captured vessels, on account of just consideration, the sum to which the demurrage from the day of her capture until this present may amount; which will be adjusted also in the Secretary's Office, according to the scale of the 7th Article of Annex B; the payment of costs from the same funds having first been made, without any other indemnization for delays, nor for damages; for which reasons, understanding that the costs occasioned by himself will be on his own account; this proceeding not prejudicing the good opinion and fame which he enjoys, nor that of the other individuals before mentioned. Let two copies of this proceeding be taken; one to be sent to Her Catholic Majesty, and the other to Her Britannic Majesty; reserving the originals in this tribunal for the opinion as to the points of the Treaty embraced therein, for the solution of the exceptional points of the present case; and lastly, send to his Excellency the Governor and Captain-General, with the corresponding polite official letter, a certified copy of this sentence; that his Excellency may be informed (without prejudice to another that is to be put forth in this moment), with the only object that he will be pleased to order the removal of the guard in charge of the said vessel and her crew, who are there as prisoners, on account of what has been decreed. And by this, their sentence, definitively pronouncing, they decreed, ordered, and signed,—I, the Secretary, being present; of which I certify.

(Signed) EL MARQUES DE ESTEVA.
PEDRO PINAZO.
JOS. T. CRAWFORD.

Inclosure 2 in No. 6.

Opinion and Sentence of Mr. Crawford on the case of the brig "Arrogante Emilio."

(Translation.)

THIS vessel, the Spanish merchant-brig "*Arrogante Emilio*," detained by Her Britannic Majesty's frigate "Vestal," Captain Hamilton, on account of suspicion of being engaged in the Traffic of Negroes, in contravention of the Treaty of the 28th of June, 1835, between Great Britain and Spain, was brought before this Mixed Court of Justice on the 27th December last, and the declaration of the captor, page 11, 12, and 13, sets forth that he detained the "*Arrogante Emilio*" on the 23rd of the said month, and having been searched, there was found on board beneath an immense quantity of stone ballast, the beams and plank for a complete slave-deck. That on examining the captain's trunk, which was ingeniously contrived with false sides to hide papers, they found concealed amongst his clothes 419 Mexican ounces, for which the master could not produce any paper or document whatever relative to this money, nor any Custom-house pass or manifest.

They also found a track-chart with tracks in pencil to the Bight of Benin, coast of Africa. That there was a passenger on board, who is a captain or piloto of a slave-vessel; and the captor states, from his long experience, that it is a known practice of the slave-vessels to carry on board as passenger the captain or piloto who is to serve in that place as slave-captain in case they should engage in the Traffic, when the vessel arrives at the coast of Africa.

The captor also declares that the planks and beams, which were found hidden in the hold, only required a quarter of an hour to form a complete deck for slaves, and in the state in which it was on the date of his letter of the 27th December last.

That the papers found on board the "*Arrogante Emilio*" consisted of—

1st. The ship's roll.

2nd. The master's (Don José Costa's) certificate, as captain and piloto.

3rd. The licence of guns, &c., found on board.

4th. The bill of health.

5th. The passport of Don Manuel Diaz de los Santos, as passenger to Buenos Ayres.

6th. The vessel's register.

The ship's roll is made out for Buenos Ayres, and with the number of crew which were actually on board at the time of her capture.

The other papers appear to be quite regular. But it is to be noticed, that among them is not to be found the register of the Custom-house, licence or clearance, either for the beams and plank, or for the gold coin, amounting to the value of 6,704 dollars, which was found on board, which certainly must have been the case had there not been some fraud; and these circumstances give room for the inference that this fraud was for a sinister purpose.

The captain, Don José Costa, and the crew of the "*Arrogante Emilio*," in their declarations, state that said vessel was bound to the Cape Verd Islands and Buenos Ayres, and the instructions of the owner corroborate that circumstance.

For the defence of this vessel, is also presented a certificate of the former voyages, in which she has been engaged since the year 1836; and it is alleged, that having been engaged in carrying jerked beef, the beams and plank found on board are such as these vessels customarily carry to serve as stage during the time of their discharge; and that the planks were bought in one of her former voyages at St. John, Newfoundland, when she was loaded with bacalao (dried cod-fish). Also in the declarations of the captain and crew, merit is made of the circumstance that the provisions and water on board this vessel were barely sufficient for her voyage from this port to Buenos Ayres.

The question in this case is, whether the materials, consisting of beams and plank, found on board the brig "*Arrogante Emilio*," are or not a second deck for slaves.

I find myself in great difficulty in arriving at a just decision; and it is necessary to state my opinion, that this Court has been much embarrassed by the circumstance of the master and crew of the "*Arrogante Emilio*" not having been sent for safe custody, either to a place of confinement on shore, or on board one of the Pontons, until their declarations were taken, instead of on board their own vessel.

The captor applied in the usual manner to have the master and crew removed for custody during the proceedings of the Court, but his application was refused by His Excellency the Captain-General. (See pages 8, 9 and 10); and it was not until the 2nd of January, that the Court obtained a guard for their custody, but on board of their own vessel; which disposition, contrary to the usual practice and in opposition to the wish expressed by the captor, has produced the result which it was easy to foresee, namely, the complaint of the captors, that everything has been transformed on board the brig, and the conflicting denial thereof by the captain and crew of the "*Emilio*."—See Captain Hamilton's protest, at page 156 to 159, and following.

Captain Hamilton, in a document dated the 13th January (which is to be found at page 88, and following), made a solemn declaration to the effect, that the second deck he ordered to be made by the carpenters of the frigate, for the purpose of convincing himself whether the materials found on board the "*Arrogante Emilio*" were sufficient, and that there was a sufficiency, neither more nor less, to leave it complete as it was on the 3rd, the day on which the captain and crew returned on board the same vessel.

The captain and his officers being present on board the "*Arrogante Emilio*," at the examination made by the Court on the 22nd of January, he found himself obliged to present to the Court the declaration at page 165, in which he states, that the second deck, at the time of the brig's being taken out of his custody, was in every way complete fore and aft; and that, not only has a considerable portion of it been removed, but the appearance of the remainder had been altered and disguised.

Upon the other hand, the master and crew, and the guard placed on board the "*Arrogante Emilio*" declare that the deck is just as it was left by Captain Hamilton, and that it has not been altered by them in any way whatever.

The declarations of Captain Hamilton are supported by the officers of the "Vestal," when, on the contrary, little faith or credit can be attached to the contradiction thereof by those on board the brig.

It is also impossible to admit the corroboration of the corporal and guard of soldiers placed on board, since it is notorious that the custody of the master and crew of the "*Emilio*" under their charge was a mere farce; the master, it is well known, left that vessel whenever he pleased, having been seen on shore repeatedly by more than one person when he ought to be a prisoner in the custody of the guard; and if this was the case with the master, it was doubtless the same with the rest of the crew. I repeat, therefore, that no faith whatever is due to the evidence of the corporal and guard, who must have been corrupted by the parties who were under their custody; and in the like manner the evidence of the master and crew must be regarded of little value, since they must have suborned the guard, and, therefore, did as they pleased on board the "*Arrogante Emilio*."

On the 2nd of January, I was myself in the hold of the "*Arrogante Emilio*," and I saw the second deck as it was when the people of the "*Arrogante Emilio*" were sent on board prisoners immediately afterwards that same morning. I was also present on board of the "*Arrogante Emilio*" when she was visited and inspected by the Court, on the 12th of January (page 68 and following), and I am satisfied from what I saw on the last of these two occasions, that the deck in question had been very much altered from the time I first saw it, when it was complete fore and aft, and on the latter it was not so.

I, therefore, attach no merit whatever to the subsequent examination and reports of the intelligent and impartial persons, which is to be found at page 125 of the proceedings, because this act was carried into operation after the alterations had been made in the slave deck alluded to.

The "*Arrogante Emilio*," therefore, had on board the materials for constructing a second deck

for slaves, *primâ facie* evidence that she was actually employed in the traffic of slaves. She was despatched for Buenos Ayres, without anything being stated upon the roll as to the deviation, which, according to the declarations of the captain and crew, was to the Cape Verd Islands, from which islands in the direction of the Bight of Benin on the coast of Africa; the captors found a track chart on board, with tracks in pencil.

The brig has no Custom-house certificate, or other document to prove that the planks and beams were for lawful commerce; neither has it a register of the Custom-house nor cocket for the gold coin carried; and although the provisions were not sufficient for a vessel engaged in the traffic of slaves, it is well known that slave vessels go to certain places, previously arranged, to complete their equipments.

For these reasons I am of opinion, that the Spanish merchant brig, "*Arrogante Emilio*," should be condemned and declared as good prize.

(Signed) JOS. T. CRAWFORD.

No. 7.

Her Majesty's Commissary Judge to Lord John Russell.—(*Received April* 18.)

(Extract.) *Havana, March* 21, 1853.

I HAVE the honour to report to your Lordship that I have arrived this day in Her Majesty's steamer "Medea" at my post as Her Majesty's Commissary Judge in the Mixed Court at the Havana.

No. 8.

Her Majesty's Commissary Judge to the Earl of Clarendon.—(*Received May* 4.)

My Lord, *Havana, March* 31, 1853.

I HAVE the honour to report to your Lordship that I was presented on the 26th instant to the Captain-General, and that I took in the presence of his Excellency the oath necessary to enable me to enter on the duties of my office as Her Majesty's Commissary Judge.

Yesterday the Captain-General sent his Aide-de-Camp to return my visit, as he informed me.

I have, &c.

(Signed) G. C. BACKHOUSE.

No. 9.

Her Majesty's Commissary Judge to the Earl of Clarendon.—(*Received May* 31.)

My Lord, *Havana, May* 10, 1853.

I HAVE the honour to report to your Lordship that on the 17th ultimo, a Spanish brigantine, called the "*Casualidad*," was brought into this port for adjudication, by Commander Dobbie, commanding Her Majesty's steam sloop "Buzzard," for having certain things on board mentioned in the 10th Article of the Treaty of 1835 as *primâ facie* evidence of the employment of the vessel in the Slave Trade.

The case is at present under adjudication.

I have, &c.

(Signed) G. C. BACKHOUSE.

No. 10.

Her Majesty's Commissary Judge to the Earl of Clarendon.—(*Received May* 31.)

My Lord, *Havana, May* 10, 1853.

I BEG most respectfully to call your Lordship's attention to the fact that the office of British Arbitrator in the Mixed Court at the Havana is vacant. It became so by the death of the late Mr. Dalrymple in 1847, and has never been filled up since then.

Some inconvenience has occurred lately in consequence.

In two of the recent cases before the Mixed Court at the Havana, those of the capture and detention of the "*Carlota*" and "*Arrogante Emilio*," the Spanish Judge and British Acting-Judge, as will have been seen in Mr. Crawford's despatches of January 24th and March 21st, did not agree as to the sentence which they ought to pronounce upon each of those vessels, and, consequently, each of those two cases became, according to the provisions of the Treaty of June 28th, 1835, the subject of arbitration. Article IV of Annex B to the said Treaty provides that in such a case the two Judges shall draw by lot the name of one of the two Arbitrators (whose appointment is provided for in Article I of the same Annex B), which Arbitrator shall take the case into consideration, and the final sentence or decision shall be pronounced conformably to the opinion of the majority of the three. Throughout the proceedings on the recent cases above referred to, not only was the office of British Arbitrator vacant, but the British Judge was absent, and Mr. Crawford, Her Majesty's Consul-General at the Havana, sat in the Court as Acting British Judge, having been appointed to fill that office, in conformity with Article IX of Annex B to the Treaty; but it is to be observed in Mr. Crawford's despatch of January 24th, that because of the absence of Mr. Kennedy and of there being no British Vice-Consul, the Spanish Arbitrator was to be called in, without the drawing of lots prescribed by the Treaty.

This mode of proceeding was in accordance with the opinion of a former Captain-General (General O'Donnell), as expressed in a letter to Mr. Crawford, dated the 7th of August, 1847. I beg, however, to submit, that it appears to me that the Treaty would warrant a different opinion. In the 9th Article of Annex B to the Treaty, in the provisions for supplying vacancies *ad interim*, it is provided, that in that Court, which shall sit within the possessions of Her Catholic Majesty, the place of the Judge shall be supplied by the Arbitrator, and that, in the event of there being no Arbitrator, or neither Judge nor Arbitrator, the vacancies are to be "filled successively by the British Consul and British Vice-Consul, if there be a British Consul and British Vice-Consul appointed to and resident in such possession." The word "possession" appears to have been interpreted by General O'Donnell to signify only the Havana, but it appears to me, that it should be applied to the whole island of Cuba. There are in the island of Cuba a British Consul and a British Vice-Consul resident at Santiago de Cuba, and a British Vice-Consul at Cienfuegos. Much inconvenience no doubt might be caused by either of these gentlemen being summoned to act as Arbitrator in the Mixed Court at the Havana, but according to the literal interpretation of the Treaty, it would seem that each successively might become liable to be called on to act in that capacity.

Cases exactly similar to those I have referred to might occur again. The appointment of a British Arbitrator would no doubt render less probable the recurrence of the inconvenience which has occurred; but it might be useful to the Mixed Commission at the Havana to have for their future guidance the opinion of Her Majesty's Government, as to the interpretation of that part of the 9th Article of Annex B to the Treaty, which relates to the filling up of vacancies on the part of Great Britain in that Court which shall sit in the possessions of Her Catholic Majesty.

I have, &c.

(Signed) G. C. BACKHOUSE.

No. 11.

Her Majesty's Commissary Judge to the Earl of Clarendon.—(*Received May* 31.)

(Extract.) *Havana, May* 10, 1853.

I HAVE the honour to inclose herewith, for your Lordship's information, a copy and translation of a letter which has been addressed by the Captain-General to the Spanish Judge of the Mixed Court, announcing the apprehension and intended disposal of sixteen Bozal negroes at Cayo Verde, within the jurisdiction of Sagua la Grande. It appears not improbable that these may be a portion of the cargo of the brig which was wrecked on the 25th of February last on the shoal of Medano, a short distance in a northerly direction from Cayo Verde, the disembarkation from which brig was denounced by Mr. Crawford in his letter to the Captain-General of the 17th of March.

Inclosure in No. 11.

The Captain-General to the Marques de Esteva.

(Translation.) *Havana, May* 7, 1853.

THERE having been apprehended sixteen Bozal negroes, proceeding from the coast of Africa, on the shoals of Cayo Verde, in the jurisdiction of Sagua la Grande, who were intended to be introduced clandestinely into the island, in contravention of the existing Treaties, and they having been brought to this capital, I have declared them free, in accordance with the Treaties, in consequence of the summary investigation instituted for that purpose, the continuation of which belongs to the Royal Audience of Puerto Principe, in conformity to what is directed in the Penal Law relative to that particular.

And for the purpose that they may acquire the necessary civil and religious education, and a mode of gaining their subsistence, I have directed that they should be assigned to persons of known responsibility and morality.

The which I state to your Excellency for the information of the Court.

(Signed) VALENTIN CANEDO.

No. 12.

The Earl of Clarendon to Her Majesty's Commissary Judge.

Sir, *Foreign Office, June* 27, 1853.

I HAVE received your despatch, of the 10th ultimo, inclosing a copy of a letter addressed by the Captain-General of Cuba to the Spanish Judge of the Mixed Court of which you are a member, informing the court that the authorities of Cuba had effected a seizure on the shoals of Cayo Verde of 16 Bozal negroes, who had been brought to the Havana, and there declared free; and that directions had been given that they should be assigned to persons of known responsibility and morality.

I have to instruct you to ascertain and to report to me the manner in which and the places where these negroes have been allocated, and the names of the persons to whom they may have been consigned.

I am, &c.

(Signed) CLARENDON.

No. 13.

Her Majesty's Commissary Judge to the Earl of Clarendon.—(*Received July* 2.)

My Lord, *Havana, June* 9, 1853.

WITH reference to my despatch of the 10th ultimo, reporting that the Spanish brigantine "*Casualidad*" had been captured and brought into this port for adjudication by Commander Dobbie, of Her Majesty's steam-sloop "Buzzard," I have the honour to report to your Lordship that on the 31st ultimo the Mixed Court met for the purpose of delivering their sentence, but that, as the opinions of the two Judges differed as to the sentence which ought to be pronounced, the case has since been referred to Arbitration, the Spanish arbitrator's name having been drawn by lot for this purpose.

The case is at present before the Spanish Arbitrator for his consideration.

When the sentence of the Court shall have been delivered, I will furnish your Lordship with the particulars of this case.

I have, &c.

(Signed) G. C. BACKHOUSE.

No. 14.

The Earl of Clarendon to Her Majesty's Commissary Judge.

Sir, *Foreign Office, July* 28, 1853.

I HAVE received a despatch from Her Majesty's Consul-General at Havana, drawing the attention of Her Majesty's Government to the case of the Emancipados in Cuba, and stating that a woman of that class, named Escolastica and her children, in whose behalf he had made an application to the Captain-General, have been transferred from Havana to the interior of the island.

I have to refer you to my despatch of the 26th March last informing you that the Spanish Government had promised Lord Howden that all the captured negroes in Cuba who were entitled by virtue of the Treaties between Great Britain and Spain of 1817 and 1835, to claim emancipation, should with certain exceptions receive their freedom before the end of 1853; and I have to desire that you will address a note to the Captain-General of Cuba, transmitting to him a copy of the inclosed letter from the Count de Alcoy to Lord Howden, and stating that Her Majesty's Government maintain that Escolastica and her children ought to be included in the class of Emancipados whose liberation has been promised to Her Majesty's Government by the Government of Her Catholic Majesty.

I am, &c.

(Signed) CLARENDON.

No. 15.

The Earl of Clarendon to Her Majesty's Commissary Judge.

Sir, *Foreign Office, August* 1, 1853.

I HAVE received your despatch of the 10th of May last, in which you request to be informed of the construction which Her Majesty's Government put upon that part of Article IX of Annex B to the Treaty of 1835 between Great Britain and Spain, which relates to the filling up of vacancies on the part of Great Britain in Mixed Courts of Justice established in the Spanish possessions; and you refer to a case in which the British Commissary Judge and the British Arbitrator in the Mixed Court at the Havana being both absent, Her Majesty's Consul-General in Cuba acted as Commissary Judge; and because there was no British Vice-Consul at Havana to take the

place of British Arbitrator, the Spanish Arbitrator was called in alone to assist in deciding a point upon which the British and Spanish Judges differed in opinion.

I have to state to you in reply, that I have consulted the proper Law Adviser of the Crown upon this matter, and I have to inform you that he is of opinion that the Captain-General was not borne out in thus interpreting the terms of Article IX of Annex B to the Treaty of 1835, and that if a similar case should occur again, the British Acting Judge would be justified in claiming the right to call in as Arbitrator any British Consul or Vice-Consul who may be resident at any port of the Island of Cuba, because the Article in question stipulates that the Consul or Vice-Consul is to be resident in the "possession," and the Island of Cuba is a single possession of the Spanish Crown, under the sole authority of one Governor.

I am, &c.
(Signed) CLARENDON.

No. 16.

Her Majesty's Commissary Judge to the Earl of Clarendon.—(Received Aug. 1.)

My Lord, *Havana, June* 20, 1853.

I HAVE the honour to inclose for your Lordship's information a copy and translation of a letter from the Captain-General to the Spanish Judge of the Mixed Court of Justice at the Havana, reporting the apprehension of 235 Bozal Negroes, who had been landed at Siguapa, in the jurisdiction of Cardenas.

I have, &c.
(Signed) G. C. BACKHOUSE.

Inclosure in No. 16.

The Captain-General to the Marques de Esteva.

(Translation.)

Most Excellent Sir, *Havana, June* 13, 1853.

TWO hundred and thirty-five Bozal Negroes having been captured, who, arriving from the coast of Africa, were disembarked at Siguapa, in the Jurisdiction of Cardenas, and were introduced fraudently into the island, in contravention of the existing Treaties, I declared them free as soon as they were brought to this capital, in accordance with the primary legal processes which for that purpose were instituted, and in conformity with the above-mentioned Treaties, arranging that they may be placed in charge of persons of means, in order that they may be educated and acquire a trade which may procure for them subsistence when they act for themselves alone.

The proceedings in this matter are following their course through the Royal Pretorial Audience, under whose cognizance this matter comes.

Which I say to your Excellency for the information of the Tribunal.

God preserve your Excellency many years.

(Signed) VALENTIN CANEDO.

No. 17.

Her Majesty's Commissary Judge to the Earl of Clarendon.—(Received August 1.)

My Lord, *Havana, July* 1, 1853.

I HAVE the honour to inclose the return of cases of vessels adjudicated in the Mixed Court of Justice at the Havana during the last six months.

I have, &c.
(Signed) G. C. BACKHOUSE.

Inclosure in No. 17.

RETURN of VESSELS captured on suspicion of being engaged in Slave Trade and adjudicated by the Mixed Court at the Havana, from the 1st January to the 30th June, 1853.

Name of Vessel.	Flag.	Name of Master.	Date of seizure.	Where captured.	Property seized.	Name of Seizor.	Date of Sentence.	Number of Slaves captured.	Number died before adjudication	Emancipated.	Tonnage. Foreign, according to the papers.	Tonnage. English. Old admeasurement.	Tonnage. English. New admeasurement.	Decretal part of Sentence, whether of Forfeiture or Restitution.	Whether the property condemned has been sold or converted, and whether any part remains unsold, and in whose hands the proceeds remain.	Remarks.
Venus.....	Spanish	Jozé Francisco Infante	1852. Dec. 17	Lat. Long.	In the "Venus," the principal things of value were a chronometer, barometer, and sextant. Everything sold for 1308 dollars 8 reals	Captain Hamilton, H. M. ship "Vestal"	1853 Jan. 19	None			61	Not ascertnd.	Not ascertnd.	Forfeiture	Property all sold, proceeds in the hands of the Caja Real or Royal Treasury at Havana.	"Venus" was condemned by the two Judges without arbitration. Cargo and effects sold Feb. 19, fragments of vessel, March 31.
Cuatro Hermanos	Ditto	Ramon Albela	Dec. 17	.....	.....	Ditto	Ditto	None			27½	Ditto	Ditto	Restitution	.....	"Cuatro Hermanos" released by an order of 29th Dec., 1852, that order confirmed in the sentence pronounced 19th Jan., 1853. 102 dollars was awarded to the owner, in pursuance of the 11th Article of the Treaty.
Carloto	Ditto	Vicente Valero	Dec. 17	.....	Vessel and contents all sold for 897 dollars	Ditto	Feb. 3	None			75⅔	Ditto	Ditto	Forfeiture	Property all sold, proceeds in the same hands as proceeds of sale of "Venus"	The case of the "Carloto" was referred to Spanish arbitration, the Judges differing in opinion.
Arrogante Emilio	Ditto	José Costa	Dec. 22	23°16'30" N. of 82°22'45" W. of Greenwich.	.....	Ditto	Mar. 21	None			270	Ditto	Ditto	Restitution	.....	The case of the "Arrogante Emilio" was decided in the same way, and demurrage allowed according to Schedule, in Article VII, of Annex B, to Treaty. The proceeds of the sale of the "Venus" and "Carlota" help to form the fund out of which, first, the costs of the Court have to be paid, and afterwards a portion of the compensation awarded to the owner of the "Arrogante Emilio." I am informed by the Secretary of the Court, that the fund will not suffice to pay the whole of the compensation awarded to the owner of the "Arrogante Emilio," and that the compensation that will remain due in this case, and the whole of the compensation awarded in the following cases, that of the "Casualidad" will, according to custom, be paid half by each of the two (British and Spanish) Governments.
Casualidad	Ditto	Ramon Perez	1853. Apr. 16	23°20' N. 80°30' W. Greenwich.	.....	Comr. Dobbie, H. M. ship "Buzzard"	June 11	None			122 9/10	Ditto	Ditto	Restitution	.....	"Casualidad" released by arbitration, and 600 dollars awarded, under Article XI of the Treaty, to owner.

No. 18.

Her Majesty's Commissary Judge to the Earl of Clarendon.—(*Received August* 1.)

My Lord, *Havana, July* 9, 1853.

WITH reference to my despatches of the 10th of May and of the 9th ultimo, respecting the case of the Spanish brigantine "*Casualidad*," which was detained and brought into this port on the 17th of April last, by Commander Dobbie, of Her Majesty's steamer "Buzzard," for adjudication under the Treaty of June 28, 1835, between Great Britain and Spain, for the abolition of Slave Trade, I have the honour to report to your Lordship that on the 11th ultimo the Spanish Arbitrator, Brigadier Ylias, having taken the case into consideration and consulted with the two Judges of the Mixed Court, the final sentence was delivered conformably to the opinion of the majority of the three, releasing the vessel.

I have the honour to transmit to your Lordship the accompanying papers, which appear to me sufficient to explain the whole case. Inclosure No. 1 is an abstract of the proceedings on which the sentence had to be pronounced. It was drawn up by the secretary to the Court, who is a lawyer; and I have made no important alterations in it except in the omission of particular descriptions of papers, of which I inclose copies, and the addition of various portions of evidence or argument which appeared to me necessary in the absence of the papers of which I have not thought it necessary to send copies.

Your Lordship will perceive that, besides the release of the vessel, the sum of $600 is awarded in the sentence to the owner, Don Juan Coll, under the 11th Article of the Treaty, which sum is to be paid out of the Prize Fund in the Court, after the costs of the cause shall have been defrayed out of it, and that the owner is left to pay the expense of his own defence.

The owner was, according to the letter of the Treaty, Articles X and XI, certainly not "entitled to any compensation;" and the only pretext under which any could be paid to him was that provided in Article XI of the Treaty, of the Court thinking it "in equity required" that "some sum of money should be paid to him proportionate to the demurrage suffered, and according to the circumstances of the case." I, of course, objected to any compensation being awarded, having already given my opinion, to which I adhered, that the vessel ought to be condemned; but as, in the course of the discussion, the Spanish Judge modified his opinion so as to make it coincide entirely with that of the Arbitrator, I found myself compelled to yield to a majority, and considered it my duty to add my signature to the other two confirming the sentence. I however, with some difficulty, obtained leave to add, as a note to my recorded opinion, delivered May 31 (Inclosure 14), the explanation of a part of it (Inclosure No. 19). I contended for this addition in order to record the more fully my opinion, which I founded solely on the Treaty, and which was so entirely opposed to those of the two Spanish Commissioners, which, together with the sentence (Inclosures 17 and 18), were avowedly grounded partly on a deviation from the Treaty. I beg leave here most respectfully to call your Lordship's particular attention to the fact that both the Spanish Commissioners laid great stress on the assumed exemption of coasting vessels from the obligation to enter into the bond for which a certificate is required, according to Article X of the Treaty, to be taken by every British and Spanish merchant vessel carrying an extraordinary number of water-casks within the specified limits of latitude and longitude. The Spanish Judge founded on the certificate issued by the Administrador de Rentas Reales Maritimas (Inclosures 12 and 13), and dated May 7, three weeks after the detention, the assertion (Inclosures 15 and 16) that the captor or his Government should be made responsible for what he, on account of that certificate, termed an illegal detention.

Your Lordship will perceive from the inclosed abstract of the proceedings (Inclosure No. 1), that after an inspection of the vessel had been made by the Court, a further inspection of the suspicious pieces of timber was made by "skilled" persons. Both inspections were made at the original suggestion of the Spanish Judge, who proposed immediately after the first inspection, that the further inspection of those pieces of timber should be made by some competent person,

who should be called on to give his opinion upon them with reference to the nature of the wood, and the probability or otherwise of their being intended to serve for the construction of a slave-deck. I agreed, on condition that two persons should be appointed to inspect and report, he and I each appointing one. This being agreed to, he, as your Lordship will perceive, obtained for that purpose the services of the carpenter of the Royal Arsenal at this place, and I those of the carpenter of the French steamer of war "*Milan*," which happened to be stationed in the harbour. While mentioning this, I think it right to record the very friendly and obliging disposition shown by Captain Verdrain, commanding the French steamer above mentioned, in not only readily acceding to my request for the services of the carpenter of the ship under his command, but in having also undertaken, had the late case before the Mixed Court been concluded during the absence of the "Buzzard" on a cruise, to take the officer and four men of the "Buzzard" left in charge of the prize on board his own ship till the return of the "Buzzard."

The inspections by the carpenters contributed much to the delay attending the late proceedings, which were concluded by the delivery of the sentence only just within the two months time allowed by the Treaty.

I have, &c.

(Signed) G. C. BACKHOUSE.

Inclosure 1 in No. 18.

Abstract of the case of the Brigantine "Casualidad."

Havana, July 9, 1853.

ON the 17th day of April last, Her Britannic Majesty's Judge transmitted officially to the Mixed Court of Justice, the declaration of Commander W. H. Dobbie, commanding Her Britannic Majesty's steamer "Buzzard," which declaration was ordered to be translated; in this declaration Captain Dobbie states, that on the 16th day of the same month, being in north latitude 23° 20′ and longitude 80° 30′ west of Greenwich, he captured the Brigantine "*Casualidad*," of which Ramon Perez was master, the said vessel having infringed the Treaty of June 28th, 1835, and having on board at the time of her capture the following articles:—

1. Twenty-one casks without any certificate from the Custom-House that the proprietor had entered into security for their being used for no other purpose but legitimate trade, and being more than sufficient for the use of the crew.

2. Large hatchways fitted for laying a slave-deck.

The declaration of the captor was accompanied by the sum total of the papers which he took from the master of the "*Casualidad*," consisting of, 1st, the license granted by the "Comandante de Marina" of the Port of San Juan de los Remedios," to the Captain Ramon Perez, to pass with the "*Casualidad*," the property of Don Juan Coll, to Cardenas, with three individuals forming the crew; it being stated in the said license that the vessel was purchased by auction from the "Tribunal de Marina" of that place, and being in a very bad state was going to be repaired; this license being intended to serve him for the time employed in the voyage, and dated the 18th March. 2nd., A "pase de domicilio" granted in favour of "Don Manuel Zorilla," at the office of the "Capitan Pedaneo" of Caibarien, to enable him to fix his residence in "Los Perros." In consequence of the declaration of the Commander who had made the seizure, a court was held, and the proceeding in this case was commenced on the 20th of April last. On that day the Commander who had made the seizure appeared, and being sworn, ratified his written declaration, and identified the papers as the same as those he had delivered, and which he had taken from the Master of the "*Casualidad*;" at the same time he presented further a sealed letter, which the latter had more recently given to him in order that he might open it, which he had done: this letter was directed to "Los Señores Yañes y Compañia" in "Navajas," dated in San Juan de los Remedios, on the 5th of April, and signed by "Don Manuel Francisco Bellido;" in which he (Bellido) informs them of the sending to them by the "*Casualidad*" casks of particular shape, described as four "curbatos," five "gigarros," and twenty-one empty "pipas." Commander Dobbie added likewise to his written declaration, that the master had since arriving in port, shown him a Custom-House document* which he had refused to give up, relating to the conveying in the vessel of thirty-two large casks; and that besides the twenty-one casks mentioned therein, he Captain Dobbie had since found eleven more, and had likewise found seventeen pieces of joists, of a size suitable for the temporary beams of a slave-deck, the place where said beams were to go being marked, and one of the pieces marked so as to correspond with the marks made on the sides of the vessel.

On the same day were ordered to be taken the depositions of the master and crew of the "*Casualidad*," who, being questioned with reference to the tenour of the declaration of the Commander who had made the seizure, agreed generally in their testimony to the following effect:—

To the question put to them as to the destination of the casks which they carried, they stated that they carried them as a cargo paying freight, with the proper Custom-House pass ("guia") for Cardenas, where their owner would destine them to some sugar-works or other purpose. Being asked to state the reason for the large size of the hatchways of the "*Casualidad*," and some marks in her sides, as if for the placing of beams, they said that in this state the vessel was bought by

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* The Master of the Vessel gave this up in Court. It mentions only 30 casks.

auction in San Juan de los Remedios from the Marine Authorities of that port; and that they believe that the having the hatchways large is for the purpose of loading timber, and as to the marks they did not know the reason for their being there. Being asked why they carried seventeen pieces of timber which might serve for beams, they stated that the said beams were likewise part of the cargo, and that being of the hardwood called "sabicú" and being from 12 to 14 inches thick, it was impossible they could serve for temporary beams. Under date of the 21st of April, "Don Juan Coll" presented through his lawyer, Don Juan José Romay, a writing making himself a party in the proceedings, which writing was accompanied by, first, a document issued from the Comandancia Militar de Marina, in San Juan de los Remedios, in which it is stated that the "*Casualidad*" is registered in the list of coasting vessels, and as the property of Don Juan Coll. Second, a legalised copy of the legal instrument of sale, dated January 7th, 1853, at San Juan de los Remedios to Coll through Coll's agent, Don Manuel Bellido, by Don Agustin Ariosa, who states that he bought her at a public auction in the same Comandancia of Marina, and sells her with her masts and effects ("con sus palos y enseres") for $1500. And lastly, a document dated the 18th of April, empowering Don Juan José Romay to act as Coll's legal representative in the defence of the present case. On the 30th of April Coll presented another writing in his defence; in this writing he complains of the established mode of proceeding of the court, says the papers of the "*Casualidad*" were all regular; refers to the bad condition of the vessel and the smallness of the crew, as arguments against her going to Africa; uses the arguments afterwards employed by the Spanish Judge, as to the hardness of the timber found on board, and refers particularly to the evidence of the master of the vessel; and finally, he presents a list of questions to be put to one Don Leon Lleo, consisting of six particular items:—First, whether he, Lleo, be owner of an estate at Los Perros. Second, whether, when the appellant bought the "*Casualidad*," she was in the same bad state in which she now is. Third, whether it be true, that he, Coll, proposed that Lleo should repair the "*Casualidad*," which was not done, through a disagreement as to the cost. Fourth, whether or not it be true, that the vessel was therefore to go to Cardenas to be repaired, and that Lleo then agreed, through the intervention of Don Manuel F. Bellido, Lleo's agent in Los Perros, to send the timber, firewood, and casks found in the vessel when captured. Fifth, whether the timber and firewood were going consigned to Don Juan Ferrin, in order that he should sell them in Cardenas. Sixth, whether, although the letter directed to "Los Senores Yanes y Compania" makes it appear that the casks were for Yanes and Company, the casks were consigned to the said Ferrin for trading in rum in connection with sugar estates of Arratia. On the 4th May the declaration of Lleo was received, consisting in substance of answers in the affirmative to all the interrogatories, and on the same day it was decreed that an examination by the court should take place of the interior of the vessel.

On the 7th of the same month, the court went on board the "*Casualidad*," in order to proceed to the examination as decreed, and found that the vessel had large hatchways, and that she had on board thirty-two casks, four of them very large and in good condition to contain fluids, and the rest of a smaller size, four of them being out of repair, and some of the others of little use; and finally, there were found seventeen pieces of timber, of a hard kind of wood, squared roughly ("labrados de primera mano," as recorded in the proceedings), and of from 10 to 14 inches in thickness, of lengths varying from five to seven yards, and cut at one end, as if to render them convenient for the attaching of a rope to draw them by. There were also in the interior of the vessel, a yard and a half apart from one another, marks of numbers up to 17 on both sides, and at the end towards the forepart of the vessel, under each of the first seven of these numbers, a small step of wood nailed against the sides, as if for cross pieces to rest on; and it being observed that amongst the already mentioned pieces of timber there was one marked "Numero 7" (VII), its length was compared with the interior width of the vessel at that part of its sides which had the same number, and was found to exceed the said width by 3 feet, and the shortest piece having been compared with the narrowest part towards the bow of the vessel between the corresponding marks, it was observed that that piece was 2 feet longer than necessary for placing it as a beam. On the 9th of May, there was ordered to be made a new survey of those pieces of timber, by persons whom the "Commandant General" of this port might appoint, which persons were, a foreman of the Royal Arsenal and the carpenter of the French steamer "Milan."

On the 13th of the same month there was received in court a certificate dated 7th May, granted to Coll at his request, by the "Admdor.-General de Rentas Reales Maritimas" at Havana, respecting an exemption of coasting vessels from having to be provided with any papers beyond such as the "*Casualidad*" was furnished with. On the 21st of the same month, the two persons appointed, having made the survey, presented themselves before the Tribunal giving their depositions separately, and firstly the foreman of the Arsenal, who said, that he found in the "*Casualidad*," seventeen pieces of timber, some of "acana" and others of "sabicú," hard wood suitable for sale in the market, being from five to nine yards long, and squaring 11 to 14 inches, which he did not consider adapted for beams with which to form a deck, on account of their large dimensions and weight, notwithstanding that in the interior of the vessel in its sides are to be found places marked in Roman numbers, which might be places for beams, which may have been there at some former time, but which would have been from 4 to 5 inches square; that the said beams bear such marks as the labourers give to such pieces of timber when they take them from the forests. That the kind of wood is useful for whatever requires solidity and durability, and constitutes a great article of trade in this island; the latter fact being probably the reason for its being on board. The carpenter of the French steamer "Milan;" said that the sticks or joists which are found on board of the said vessel are not in any way prepared so as to serve as beams, much labour being necessary for reducing them to something like the proper form for such a purpose; that the declarant never would destine them to such purpose, owing to the hardness of the timber, although perchance there might be some who would; that he did not know the name of the wood, and believed that it was carried as cargo.

Inclosure 2 in No. 18.

Ship's License.

(Translation.) *San Juan de los Remedios, March* 18, 1853.

ONE hundred and twenty-two $\frac{0}{10}$ tons. Folio 21. Second list. Provincia de los Remedios. J. Don Manuel de los Rios y Llamas, Knight with Cross and Badge of the Royal and Military Order of Saint Hermenigildo, Captain of the Royal Navy, Comandante Militar de Marina y Matriculas de San Juan de los Remedios y Presidente del gremio de Marcantes por S. M. &c., grant license to the master, Ramon Perez, to enable him to make a voyage from this port to that of Cardenas, in the brigantine "*Casualidad,*" registered at this port, burthen of $122\frac{0}{10}$ tons, and the property of Don Juan Coll, with the crew, Antonio Cerito Vterto, José Valerio Montoto, Manuel Perez and the boy Ramon Martinez; this vessel was sold by auction in this "Trâl de Marina," and being in a very bad state, is going to be repaired. This being valid for the necessary term of days, after which he will be under the obligation of presenting himself to the "Comandantes, Subdelegados Militares de Marina," or "Cabos de Matriculas," and in default of them to the "Cabos Celadores, Capitanes, Tenientes de Partido ó Justicias Ordinarias," in order that they may in future take note of her entering and leaving the ports to which she may go; and non-compliance with the same shall be punished for the first time with a fine of 100 dollars, and the second, by being, moreover, prohibited to command any vessel: in case of not being able to pay the fine, it will be commuted to a year's service in men-of-war, in accordance with the official order of the Excmo. Señor Comandante General of this station. The master is aware of the 123rd article, 5th treatise, 7th title, of the General Order of the Navy, of 1793, which says: "that in case of loss which may be occasioned, maliciously, carelessly, or rashly, they, the masters, shall be responsible to the owners, as far as their means go, in addition to prison correction, service in chain-gang, according to the circumstances of their offence, for amount of damage occasioned; and after complying with same, they must present themselves to have it countersigned, reporting always any new occurrence.

L.S. (Signed) MANUEL DE LOS RIOS.

[Here follow various signatures, showing the formalities through which this document went, and mentioning the discharge of one of the crew.]

Inclosure 3 in No. 18.

Ticket of Residence given to Manuel Zorilla.

(Translation.)

CAPITANIA pedania de Caibarien, 18th of March, 1853.—"Boleta de Domicilio," in favour of the person first named, who further is said to be going to establish himself in "Los Perros," Don Manuel Zorilla, native of Valle de Saba, province of Santander; age, 20 years, unmarried, occupation, trade, description; colour white, hair fair, forehead regular, eyebrows, colour of hair, eyes grey, nose and mouth regular, beard, none.

(Signed) FRANCISCO ROMAGUERA DE CUEVAS,
El Comandante de Armas Juez Pedaneo.

Recorded at No. 36.

Inclosure 4 in No. 18.

Don Manuel F. Bellido to Señores Yañes and Co.

(Translation.)

My dear Sirs, *Navajas, San Juan, April* 5, 1853.

I SEND you by the brigantine "*Casualidad,*" master, Don Ramon Perez, four "curbatos," five "cigarros," and twenty empty pipes, in conformity with your order in your esteemed letter, dated 22nd February last.

I have, &c,
(Signed) MANUEL F. BELLIDO.

Inclosure 5 in No. 18.

Permit of Embarcation.

(Translation.)

Señor Encargado de Rl. Ha., *Port of San Juan, April* 2, 1853.

PLEASE permit to be embarked in the brigantine "*Casualidad,*" belonging to Remedios, her master, Don Ramon Perez, and bound for Cardenas, the following—

17—Seventeen pieces of hard timber, worked.
30—Horse loads of fire-wood.
30—Thirty empty casks.

(Signed) MANUEL F. BELLIDO.

Los Perros, April 2, 1853.

Permit the embarcation of what is contained in this.

(Signed) ALVARES.

Inclosure 6 in No. 18.

Register.

(Translation.) *Remedios, January* 7, 1853.

AT folio 21 of the list appertaining to vessels engaged in the coasting trade, appears registered as the property of "Don Juan Coll," the brigantine "*Casualidad*," of 94 feet in length, 25 feet 3 inches beam, 23 feet 3 inches width of gauge, and 8 feet 9 inches depth of hold, measuring 120 $\frac{9}{10}$ tons. The owner being aware that he cannot alienate her without giving information to this Comandancia.

(Signed) AUGUSTIN LABATON.

Inclosure 7 in No. 18.

Certificate.

(Translation.)

I, DON JOSE DE ARRISTIA, "Oficial Mayor de la Admon.-Jéneral de Rtas. Maritimas de esta Capital i Contador-Jéneral interino de la misma,"

Certify, that in the coasting commerce and traffic there are not issued by the custom-houses of this island any documents, according to instruction, other than the policies which the persons who load them present; which documents, with the permit of embarcation and clearance from the custom-house, are put under a sealed cover, expressing on the outside the name of the carrying vessel, her captain, and the date of her clearance, signed by the Admininistrador de Rentas of the port of embarcation. And for the ends which may be deemed convenient, consequent on a decree of the "Sr. Admor.-Jéneral de Rentas Maritimas" under date of yesterday, decreed in compliance with another from the "Exmo. e Illmo. Sor. Superte.-Jéneral Delegado," of the 5th instant, in consequence of an official letter from his Excellency the Captain-General, Superior Civil Governor, of the 2nd instant, accompanying a written document from Don Juan Coll, relative to this particular, on account of the seizure of the brigantine "*Casualidad*." I issue this in the Havana, on the 7th of May, 1853.

(Signed) JOSE DE ARRASTIA.

Inclosure 8 in No. 18.

Opinion of the British Judge in the case of the "Casualidad."

Havana, May 31, 1853.

THIS Spanish brigantine was brought into the port of Havana, for adjudication in the Mixed Court, on the 17th of April. The detention by Commander Dobbie, commanding Her Britannic Majesty's steamer "Buzzard," appears to have been justified by the Admiralty authority under which he acted, and by the 6th section of the 10th Article of the Treaty for the abolition of the Slave Trade, signed on the 28th of June, 1835, between Great Britain and Spain, she having on board at the time of detention, an extraordinary number of water-casks, without a certificate from the custom-house at the place from which she cleared outwards, stating that a sufficient security had been given by her owner that such extra quantity of casks should be employed only in lawful commerce. The 10th Article, above referred to, provides that in such a case not only shall the detention be legal, but the circumstance, if proved, shall be considered as *primâ facie* evidence of the actual employment of the vessel in the Slave Trade, and the vessel shall thereupon be condemned and declared lawful prize, unless satisfactory evidence on the part of the master or owners shall establish that such vessel was at the time of her detention or capture employed in some legal pursuit. The circumstance has been clearly proved; but a certificate from the Administrador de Rentas Reales Maritimas, dated the 7th of May, has been produced to show that the certificate of lawful commerce is not required for coasting-vessels; and evidence has been produced to show that the "*Casualidad*" was licensed as a coasting-vessel. With this assumed exemption the Court has, in my opinion, nothing to do. The Treaty makes no exception as to any class of merchant vessel, British or Spanish. The only question that remains is, whether satisfactory evidence on the part of the master or owner of the "*Casualidad*" has established that she was, at the time of detention, employed in some legal pursuit.

The evidence on the part of the defence tends to show that the "*Casualidad*" was at the time proceeding to Cardenas for repair, and that the suspicious articles on board of her were cargo, while certain marks in her sides in the interior, which tend to cast suspicion as to her employment, have been left without any clear explanation.

The coincidence of these marks being, 17 in number on each side, and of certain pieces of timber, called cargo, being also neither more nor less than 17 in number, as proved to the Court by personal investigation, has, in my opinion, thrown much suspicion on the destination of the vessel. The suspicion has been attempted to be removed by referring to the description of the wood composing these pieces of timber, as being a description of wood unlikely, on account of its weight, hardness, and value, to be used in constructing a slave-deck. The wood, however, is of a sort grown in this country, therefore the more easily procured; and the fact of one timber marked VII, of 9 yards long, and exceeding the width of the ship, in that part marked with the same number, by only 3 feet,—while the shortest, of 5 yards long, but without any number, exceeded in its length the measurement across the vessel in the narrowest part, where there were two opposite marks, by only 2 feet,—appears to me, considering the rough state in which the pieces of timber are ("labrados de

primera mano"), and the probability of their considerable diminution in size when worked, strongly confirmatory of the suspicions attaching to the vessel on account of the other circumstances connected with these timbers and marks in the ship's sides.

Under all these circumstances, it is my opinion, for want of the satisfactory evidence to the contrary, required by Article X of the Treaty, that the "*Casualidad*" was, at the time of detention, proceeding to Cardenas not only to be repaired, as stated in the defence, but to be fitted for the Slave Trade, and therefore not employed, at the time of detention, in a legal pursuit; and that she ought therefore to be condemned, and declared lawful prize.

(Signed) G. C. BACKHOUSE.

Inclosure 9 in No. 18.

Explanation of the opinion of the Spanish Judge.

(Translation.) *Havana, June* 1, 1853.

SEEING the difference which exists between my colleague's opinion and my own, in this cause I proceed to state the reasons on which I base it.

On the 16th day of last April, the steamer of Her Britannic Majesty, "Buzzard," commander Dobbie, seized on the Spanish merchant brigantine "*Casualidad*," in the waters of the coast of this island, attributing to her an infraction of the Treaty, and bringing her before this Mixed Tribunal of Justice. This infraction, as the seizing-officer states, consists in thirty-two water-vessels, which the vessel carried without a certificate, by which it would appear that her owner had given adequate security that the excessive number of vessels were destined for a lawful use; in this vessel having her hatches large; and finally in her carrying seventeen pieces of hard timber, which the seizing-officer pretends to be destined for temporary beams for the said vessel.

The brigantine "*Casualidad*" was cleared in San Juan de los Remedios, the place where she was sold by auction by the Tribunal de Marina (as is explained in the licence, folio 13), and was going to the port of Cardenas to be repaired, as she was in a very bad condition. This last document was one of those which the commander of the "Buzzard" took, and which he has presented in court.

The carrying of the empty vessels was being performed by the "*Casualidad*" with the corresponding custom-house pass, folio 21, the only document which, according to the certificate of the Administracion de Rentas Reales Maritamas of this port, folio 63, is granted by the custom-houses of this island, to vessels engaged in the coasting commerce and trade. The commander who seized the vessel saw likewise this custom-house pass at the time of making the seizure, and confessed the same in his declaration, although he says he did not consider it sufficient. He saw likewise the letter at folio 19, by which we learn the object for which these empty vessels were being carried. The size of the hatches of the brigantine "*Casualidad*" indicates nothing that could affect her character; for this vessel, having been bought by auction in "San Juan de los Remedios," in the same state in which she now is, without her present owner having done anything to her; on the contrary, before she went to Cardenas to be repaired, he cannot be responsible for an act which he did not commit, and of which he was not aware. The seventeen pieces of timber which the "*Casualidad*" was carrying, are also inscribed in the custom-house pass, are of hard wood, and of considerable merit in this country, and are all longer than the width of the vessel; and their thickness being from 10 to 14 inches, makes them unfit to serve as temporary beams. Thus on oath it was declared, at folios 64 and 55, by the two skilled men who were appointed by the Tribunal, and who made a minute survey of the vessel. It is incredible that they could be taken by her with such a view, it being possible in Cardenas, where she was going to be repaired, to buy timber of pine, of from 4 to 5 inches, which is the width requisite for the beams, which timber would cost much less than the pieces of "acana" y "sabicú," without involving the immense labour of reducing their thickness to that necessary for such a purpose.

In summing up, it appears by what is stated, that the vessel was carrying with the necessary and customary documentary papers, the water-vessels; and that of this circumstance, the seizing commander satisfied himself, from the first moment of the capture. That the vessel having been bought by auction in San Juan de los Remedios, in the same state as that in which she now exists, her owner ought not to be held responsible on the charge of her having her hatches large. That the pieces of timber cannot be rationally considered other than an article of cargo, and not beams, from the difficulty in reducing them to the form necessary for that purpose. And finally, that as to the brigantine "*Casualidad*," from her bad condition, it was impossible, not only for her to go to the coast of Africa, but even to be employed in any other trade, without being previously repaired, to have which done she was going to Cardenas; and that if subsequently, when there, she might have been equipped for the reprobated traffic, the Tribunal has no proofs, nor is it incumbent on it to take cognizance of intentions.

With this view, it is my opinion that the captured vessel should be released, her detention being declared illegal, and she being restored with her cargo in the state in which she is to Don Juan Coll, her owner, to whom will remain open the right to reclaim the compensation for losses and damages which will lie, as well as the costs occasioned, against the commander of Her Britannic Majesty's steamer, "Buzzard," Mr. Dobbie, or against his Government, in conformity with the tenour of the 5th Article of Annex B of the Treaty of 1835.

(Signed) EL MARQUES DE ESTEVA.

Passed before me.

(Signed) DR. JOSE ANT. VALDES,
Secretary.

Inclosure 10 in No. 18.

Sentence.

(Translation.) *Havana, June* 11, 1853.

In the ever-faithful city of the Havana, on the 11th of June, 1853; present His Excellency Senor Don José Buenaventura Esteva, Marques Esteva de las Delicias, Senator of the Kingdom, Grand Cross of the Royal and Distinguished Order of Charles the Third, and the American Order of Isabel the Catholic, &c., &c., &c., and Spanish Judge of the Mixed Court of Justice, established for the abolution of African Slave Trade, in accordance with the Treaty of the 28th of June, in the year 1835; Mr. George Canning Backhouse, British Judge of the same Court, and the Senor Don Francisco Yllas, Brigadier of Infantry, &c., and Spanish Judge-Arbitrator of the same Court, in order to give the final sentence which ought to follow on these proceedings, formed in consequence of the detention and capture of the Spanish merchant brigantine "*Casualidad*," by Her Britannic Majesty's steam-sloop "Buzzard," Commander W. H. Dobbie, in consideration of the difference existing between the two Judges, and in accordance with what is provided by the Treaty of June 28, 1835, in the fourth Article of Annex B, a new examination and comparison having been made of all parts of the proceedings, with the documents presented, the declarations received, and surveys by skilled persons, which have likewise taken place; it being considered, that although Commander Dobbie of Her Britannic Majesty's steamer, might have had at first sight reasons for detaining the said Spanish brigantine "*Casualidad*," the reasons disappear as soon as they are examined and compared with the facts, data, and proofs resulting from the proceedings, the principles of sound logic and criticism being applied to them, considering that the said brigantine "*Casualidad*," was cleared in San Juan de los Remedios under the circumstances of having just been bought by auction in the Marine Court, according to the document at page 13; it appearing likewise from the proceedings, that she was going to Cardenas to be repaired; considering that the vessel was in very bad condition, and consequently most completely and absolutely unable to make a voyage to the coast of Africa, in quest of negroes; considering that neither the captain nor owner can or ought to be responsible for any of the acts which were anterior to the obtaining of the vessel, which had just come into their possession by means of a proper title, under the sanction of the competent authority; considering that the Custom-house pass or document, at page 21, is the only one that is issued by the Custom-houses of this island, according to the certificate at page 63, in similar cases, to all vessels employed in the coasting commerce and trade, and that it is not allowable, just, or lawful, to oblige the owners to produce various other documents, which it is not the practice to require or to give at the said offices, except to vessels leaving the island, which was not the case with the Spanish brigantine "*Casualidad*;" considering that the seventeen pieces of timber which she carried on board, besides being found mentioned in the Custom-house pass, are of hard wood and of excessive value, to be destined to the purpose which is supposed, the employment of others of pine, or of timbers of little value, bulk, and weight, being more simple and feasible, it being moreover proved that their length is more than the width of the vessel, and their thickness from 10 to 14 inches, which makes them useless to serve, as was thought, for temporary beams, on which point agree the skilled persons officially appointed by his Excellency the Commandant-General of Marine, at the instance of this Court; bearing in mind likewise, that neither the 6th rule of the 10th Article of the said Treaty, nor the formalities which it establishes, refers in any way to the vessels engaged in the coasting trade of the island, but merely to such as may be prepared, searched, or detained outside of it, or on the high sea, with apparent evidence of being employed in the prohibited Slave Trade, from which vessels it is that the proofs may be required, to which the said 6th rule refers; that the owners of the vessel and water-casks found on board have to give sufficient security that the latter should be employed in the conveying of palm-oil, or some other purpose of lawful commerce; taking into consideration likewise, that in such circumstances it is not possible to give to the law greater extent than it has, to the serious injury of a third party, and of the coasting trade and commerce of the island, more worthy of protection than of punishment; considering finally, that the latter part of the 9th rule of the same 10th Article directs, that although there may exist some of the circumstances which it explains as worthy of being considered as *primâ facie* evidence of the actual employment of the vessel in the Slave Trade, and that the vessel may thereupon be condemned and declared lawful prize, this is always to be understood, that it is useless (as the same law says) the masters or owners of the vessel may prove satisfactorily that the vessel, at the time of her detention, was occupied in some lawful trade, which is what in the present case has been satisfactorily proved; it not being either just or rational to fix either punishment or condemnation on any one in a case of doubt, nor for mere conjectures as to future deeds, which might not be actually carried into effect; all being well considered, together with whatever has been worthy of being borne in mind, his Excellency and their Honours declare, that they acquit the said Spanish brigantine, "*Casualidad*," as well as her master and crew, from all charges, ordering that the said vessel with her cargo be restored to the former, Don Ramon Perez, but denying either to him or to the owner, Don Juan Coll, the right to claim for losses and damages, as is in accordance with the 11th Article of the same Treaty, paying nevertheless to the latter, out of the Prize Fund, if it shall amount to so much, the sum of 600 dollars in pure equity and just consideration; out of which funds likewise shall be first paid the costs of this proceeding, omitting those which Coll incurred in his defence of the vessel; but neither to the latter nor to the master and crew shall this proceeding cause any injury as to their future character and reputation. And finally, let there be sent to his Excellency the Captain-General, the principal civil authority, with the suitable official letter of courtesy, a certified copy of this sentence, in order that his Excellency may be informed of it. And by this their sentence in final judgment, thus they have decreed, ordered, and signed it; I, the secretary, being present, which I certify.

(Signed) EL MARQUES DE ESTEVA.
FRANCISCO YLLAS.
G. C. BACKHOUSE.
DR. JOSE ANT. VALDES.

Inclosure 11 in No. 18.

Explanation of part of opinion given by the British Judge, May 31, 1853.

Havana, June 11, 1853.

IN the statement which I delivered on the 31st ultimo, of my opinion on the case of the "*Casualidad*," there is one point which, at the time when I wrote it, appeared to me sufficiently obvious, but which, on reconsideration, appears to me to require some explanation. I stated, that under all the circumstances it was my opinion, for want of satisfactory evidence to the contrary, required by the 10th Article of the Treaty, that the "*Casualidad*" was at the time of detention proceeding to Cardenas, not only to be repaired, as was stated in the defence, but to be fitted for the Slave Trade, and, therefore, not employed at the time of detention in a legal pursuit. The only point which now appears to me to require explanation, is the ground on which I formed my opinion, that the fact being that the vessel was in the act of going to Cardenas to be fitted for Slave Trade, she could not be considered as employed in some legal pursuit; in other words, whether the act of going to a place for the purpose of being fitted for an illegal pursuit, ought in such a case as the present to be considered a legal pursuit. There is no doubt that in such a question as this, which is not quite literally provided for by the Treaty, the spirit of the Treaty ought to be more particularly attended to. Such has clearly been the intention of both the British and Spanish Governments with regard to the Treaty under which the present case has to be decided. In its spirit as well as letter, the Treaty is very severe against equipments. The 10th Article provides, that any one of several specified circumstances shall, if proved, be considered sufficient for condemnation of a vessel, except on production of certain satisfactory evidence in her favour. None of the circumstances specified in that Article could, singly, be considered as a complete equipment for Slave Trade; the proof, therefore, of only one of these circumstances can at the most be supposed to denote no more than that the vessel is either conveying a certain portion of Slave Trade equipment to another vessel, or that she is intended to be herself fitted for Slave Trade, either by having the necessary articles of equipment brought to her, or by proceeding to some other place for the purpose. The being, therefore, in the act of proceeding to a place for the purpose of being fitted for Slave Trade, when the proof of such act is supported by certain circumstances, and not overthrown by certain satisfactory evidence, is clearly to be considered as rendering the vessel found in the act liable to condemnation, she being of course considered as not employed in a legal pursuit; and there being, in my opinion, a want of satisfactory evidence to prove, as the Treaty requires in such a case as that of the "*Casualidad*," that she was not, when detained, proceeding to a place for the purpose of being fitted for Slave Trade, I come to the conclusion, that the "*Casualidad*" ought to be condemned.

(Signed) G. C. BACKHOUSE.

No. 19.

Her Majesty's Commissary Judge to the Earl of Clarendon.—(Received August 1.)

My Lord, *Havana, July* 9, 1853.

I HAVE the honour to transmit to your Lordship a copy of a List with which Mr. Consul-General Crawford has furnished me of the disembarkation of Bozal Negro Slaves, which he has denounced to the Captain-General, during the first six months of the present year. Mr. Crawford informs me that there may have been other cargoes landed, and that he has indeed heard of two or three more; but that, as the information was not sufficiently to be relied upon, he did not deem it prudent to notice them to his Excellency, as he did those comprehended in the inclosed List.

Mr. Crawford has informed me, within the last few days, that the cargo landed from the vessel denounced on the 2nd of June, which vessel, as I have stated in a note in the List, has since been ascertained to have been the American barque "*Jasper*," consisted, not only of 280 negroes, as stated, but of 340.

From all this, it appears that there has latterly been most extraordinary activity in the Slave-Trade, almost 7000 having been so satisfactorily ascertained by Mr. Crawford to have been brought to this island within the last six months, as to have been thought by him worthy of selection for denouncement; and of these 7000, more than half were landed during the last month.

His Excellency the Captain-General has, however, been very active in his interference with the illicit trade, and has given great offence to many rich Spaniards by his having, in defiance of the 9th Article of the Penal Law of 1845, authorised the invasion of estates and the carrying off from thence of newly-landed negroes. Of these, 173, which had become the property of Don Julian Zulueta, were seized more than a fortnight ago, and Zulueta himself and his porter imprisoned; and they are, I believe, still in confinement. And search is said to be made for other notorious slave-traders.

These proceedings, on the part of the Captain-General, seem well calculated to suppress Slave-Trade. Rich traders would, no doubt, willingly pay much larger sums than have hitherto been customary, to secure the landing of such profitable cargoes as those of negroes have hitherto been; but the prospect of imprisonment frightens them. Several vessels (I regret to say I have not been able to learn their names or those of their masters) are, I am informed, hovering about the coasts of this island at the present moment, with cargoes of negroes on board, which they are waiting for opportunities to land; and persons whose property newly-landed negroes become are now ready to part with them at a small fractional part of their market value, rather than retain on their hands such dangerous property. I have heard of people, for the sake of secrecy, submitting to be robbed on the beach of their negroes just landed.

But one of the effects of this new system is to increase the number of Emancipados. My despatch of the 20th ultimo, which I forward by the present packet, contains an announcement of 235 being added to that unfortunate class, while on the other hand I have not received from the Captain-General one liberated Emancipado to send to Jamaica since my arrival here in March last. It is well known that those to whom Emancipados are assigned pay something for the use of them; it is a mystery who receives the money; but it is, I believe, always more than the largest amount of hush-money paid for the landing of a Bozal.

The sugar-harvest has, I am told, been very good this year. The harvest operations generally go on till the rain begins, and the rain came this year about the middle of June, which is, I believe, much later than usual.

I have, &c.

(Signed) G. C. BACKHOUSE.

P.S. Mr. Crawford has shown me an extract from the "Picayune," American newspaper, reporting the arrival at Laguna de Terminos, in Yucatan, and detention there on account of an irregularity in her papers, of the "*Lady Suffolk*," which had arrived there under Mexican colours as the "*Mariana*," commanded by Don Juan Gutierrez. Don Eugenio Viñas is, I am told, in America, having gone there very soon after his return from his late successful slaving expedition in the "*Lady Suffolk*."

Inclosure in No. 19.

List of Disembarkations of Bozal Negroes.

A LIST of the Disembarkations of Bozal Negro Slaves which I have denounced to his Excellency the Captain-General of Cuba, during the first six months of the current year this day ended.

1853			
January	8	Landed near Cabanas and taken to the Estate called San Ignacio	600
March	8	By a vessel which was stranded at El Medano, supposed Portuguese ..	500
„	23	By a ship which was burnt at Cayo Piedras near Cardenas—Capó's Expedition —1100 ad 1200	1150
June	1	At San Juan de los Remedios. Ship supposed to have been the "*Jasper*," burnt afterwards	680
„	2	At Bailen or Ensenado de Cortes. Ship* grounded and was set fire to. The burnt hull is still on the shoal called the "Viril"	280
„	5	The Captain-General, in answer to my letter of this date, denies that 1200 Slaves had been landed at Mariel or to the westward of that place, but he says a brigantine had been found derelict in those waters. I afterwards found that she had landed	300
„	15	At Cienaga, Zapata, or Cochinos, the "*Lady Suffolk*," (á) "*Eclipse*" ..	1283
„	„	At another place in the same Jurisdiction of Cienfuegos, by a vessel, name unknown	640
	30	At the Isle of Pines, vessel supposed Brazilian (stranded)	600
		Total Slaves ..	6033

(Signed) JOS. T. CRAWFORD,
Consul-General in Cuba.

June 30, 1853.

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* Since ascertained to have been the "*Jasper*."

No. 20.

The Earl of Clarendon to Her Majesty's Commissary Judge.

Sir, *Foreign Office, August* 25, 1853.

WITH reference to that part of your despatch of the 9th ultimo, which states that since your arrival at Havana in the month of March last, you have not received from the Captain-General a single liberated Emancipado for conveyance to a British colony, I have to instruct you to endeavour to ascertain from the Captain-General what arrangements he has made in order to carry into effect the engagements of the Spanish Government respecting the Emancipados which are recorded in the Count de Alcoy's letter to Lord Howden of the 15th of March last, a copy of which was transmitted to you in my despatch of the 28th ultimo.

I am, &c.
(Signed) CLARENDON.

No. 21.

Her Majesty's Commissary Judge to the Earl of Clarendon.—(Received Sept. 1.)

My Lord, *Havana, August* 11, 1853.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 27th of June, instructing me to ascertain and report to your Lordship certain information respecting the disposal of sixteen Bozal Negroes who had been declared free, and directed to be assigned to persons of known responsibility and morality.

I lost no time in requesting Mr. Consul-General Crawford, who, by the Earl of Aberdeen's instructions of February 3, 1845, is the person authorised to communicate with the Captain-General on such a subject, to apply to the Captain General for the requested information.

I have the honour to inclose copies of the correspondence which has taken place on this subject, from which your Lordship will perceive that the Captain-General simply refuses to give any information whatever on the subject.

I have, &c.
(Signed) G. C. BACKHOUSE.

Inclosure 1 in No. 21.

Her Majesty's Commissary Judge to Consul-General Crawford.

Sir, *Havana, July* 22, 1853.

I HAVE the honour to transmit to you herewith a copy of a despatch which I have received from the Earl of Clarendon, Her Majesty's Principal Secretary of State for Foreign Affairs, directing me to ascertain and report to his Lordship certain particulars respecting the disposal of sixteen Bozal negroes, who were stated by the Captain-General, in a letter addressed by his Excellency to the Mixed Court on the 7th of May last, to have been seized in this island, and to have been directed to be assigned to persons of known responsibility and morality. I inclose also for your information, a translation of the Captain-General's letter referred to.

I have to request that you will communicate to the Captain-General a copy of Lord Clarendon's despatch inclosed, and request his Excellency to furnish you with the information required, in order that I may transmit it to Her Majesty's Government.

I have, &c.
(Signed) G. C. BACKHOUSE.

Inclosure 2 in No. 21.

Consul-General Crawford to Her Majesty's Commissary Judge.

Sir, *Havana, July* 27, 1853.

I INCLOSE herewith a copy of what I addressed to the Captain-General of Cuba on the 23rd instant, in consequence of your letter of that date, requesting certain information which Her Majesty's Government instructed you to obtain, respecting sixteen negroes, who having been captured by the

Spanish authorities at the shoals of Cayo Verde, were declared to be Emancipados, according to his Excellency's official note of the 7th of May last, addressed to the Mixed Court.

I also inclose a copy of his Excellency's answer to my said letter of the 23rd, in which you will observe that he has directed the Political Secretary to say that he has not found it convenient to give me any sort of information as to the particulars embraced in my letter.

I have, &c.

(Signed) JOS. T. CRAWFORD,
Consul-General in Cuba.

Inclosure 3 in No. 21.

Consul-General Crawford to the Captain-General.

Most Excellent Sir, *Havana, July* 23, 1853.

I HAVE the honour of laying before your Excellency the copy of a letter which I have received from Mr. Backhouse, Her Majesty's Commissary Judge in the Mixed Court of Justice at this place, inclosing a copy of a despatch which he has received from Her Majesty's Secretary of State for Foreign Affairs, the Right Honourable the Earl of Clarendon, in which, with reference to your Excellency's communication of the 7th of May last, addressed to the Mixed Court, relative to the capture of sixteen Bozal negroes in the shoals of Cayo Verde, and their having been declared Emancipados, his Lordship has instructed Mr. Backhouse to ascertain and report to him "the manner in which, and the places where, these negroes have been allocated, and the names of the persons to whom they may have been assigned;" and in consequence of that instruction, Her Majesty's Commissary Judge has requested me to communicate to your Excellency Lord Clarendon's despatch, and request that your Excellency will furnish me with the information required, in order that it may be transmitted to Her Majesty's Government.

I have, &c.

(Signed) JOS. T. CRAWFORD,
Consul-General in Cuba.

Inclosure 4 in No. 21.

The Secretary to the Captain-General to Consul-General Crawford.

(Translation.) *Havana, July* 27, 1853.

HIS Excellency the Captain-General has not found it convenient to give to your Honour any kind of report or information with respect to the particulars embraced in your communication of the 23rd instant, relative to the sixteen Bozal negroes from Sagua la Grande, and he has ordered me to make it known to you in these terms in answer.

God preserve, &c.

(Signed) LORENZO DE BUSTO.

No. 22.

The Earl of Clarendon to Her Majesty's Commissary Judge.

Sir, *Foreign Office, September* 9, 1853.

WITH reference to the letter which the Mixed British and Spanish Commission at Havana addressed to Mr. Consul-General Crawford on the 2nd of June last, respecting the lists of Emancipados which ought to be communicated by the Spanish authorities to the Mixed Commission, in conformity with the 5th and 6th Articles of Annex D, to the Treaty of June 28, 1835, between Great Britain and Spain; I transmit herewith for your information, and for Mr. Crawford's information, a copy of a despatch* which I have received from Her Majesty's Chargé d'Affaires at Madrid, inclosing a copy of a letter which has been addressed to him by the Spanish Minister for Foreign Affairs, respecting the lists in question.

I am, &c.

(Signed) CLARENDON.

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* See Class B, No. 444.

No. 23.

Her Majesty's Commissary Judge to the Earl of Clarendon.—(*Received October* 3.)

My Lord, *Havana, August* 13, 1853.

MR. CONSUL-GENERAL CRAWFORD informed your Lordship in November and June last of the steps which he took, in obedience to an instruction he received last year, to obtain certain information respecting the Emancipados under the Treaty of 1817.

I have the honour to inclose a copy of the letter which he addressed to the Mixed Court, on the 13th of April last, on that subject, and referring to letters which he had addressed to the Captain-General and to the Mixed Court on the 3rd and 4th of November last.

On the 20th of April the subject of Mr. Crawford's letter was brought forward at a meeting of the Court. I then drew the attention of the Spanish Judge to the 5th and 6th Articles of Annex C to the Treaty of 1835, to which Mr. Crawford refers; and to the fact that the information asked for by Mr. Crawford of the Mixed Court was a part of that information which, under the 6th Article above-mentioned, the Captain-General was bound to communicate to the Mixed Court every six months from the register which the preceding 5th Article required him to keep. On being informed that the Mixed Court did not possess any information about the Emancipados, and that there was no record of its having ever possessed it, I said that now that we were asked for what we were bound to have, not having it, we were bound to apply for it to the source from whence it ought to have been supplied, namely, to the Captain-General.

The Marquis Esteva, the Spanish Judge, objected to an official application being made, on the ground that that course would not be agreeable to the Captain-General; and therefore I agreed to a proposal he made that he should apply privately to the Captain-General, and so dispense with any written record of the Mixed Court having to apply to the Captain-General for the information. His Excellency was at that time at Santiago de Cuba, and it was, as I understood, arranged between the Marquis and me, but unfortunately, for the reason above-mentioned, not in writing, that in eight days after the return of the Captain-General to the Havana, the Mixed Court was to send an answer to Mr. Crawford, giving the result of the Marquis Esteva's private communication with the Captain-General. I certainly endeavoured to make the Marquis agree, as clearly as the circumstances would allow, to this arrangement, and thought I had succeeded. On the 30th of April the Captain-General returned to the Havana, and on the 4th of May I took the first opportunity that offered itself of reminding the Marquis of the arrangement; he then denied that he had agreed to anything more than to speak to the Captain-General within eight days after his return, and was so positive that I could not but acknowledge that I must have been mistaken in supposing he had understood me. On the 7th of May I again spoke to the Marquis, who told me he had already spoken to the Captain-General, and that his Excellency had said he was occupying himself in the matter. I then let the matter rest to give time for a communication from the Captain-General. On the 28th of May Mr. Crawford wrote again to the Mixed Court; and on the 31st, no communication having been received from the Captain-General, I proposed that an answer of some sort should be sent to Mr. Crawford. Accordingly an answer was sent, of which I have the honour to inclose a copy and translation, stating that the Mixed Court had not yet received the required information.

At length, having in vain waited for a communication from the Captain-General, I proposed to the Court on the 12th of July, that an official letter should be addressed by it to the Captain-General; and I at the same time made a proposal as to the substance of it. I proposed that his Excellency should be informed of the object of Mr. Crawford's letter of the 13th of April, and that the Court, while acknowledging the irregularity of the course adopted by it, in having had recourse to a private verbal communication, instead of at once addressing his Excellency officially on the subject, should state that it now, after so much delay, found itself under the necessity of applying officially to his Excellency for the information. The Marquis, in the outset, objected to the whole of my proposal; but at length an official letter to the Captain-General was drawn up by the Secretary to the Court, very different from what I had

proposed; and as the Marquis agreed to sign it, I thought it best to let it go, incomplete as it appeared to me, rather than, by insisting on my objections to that letter, to risk the question as to whether the Mixed Court should address the Captain-General officially on the subject, which I considered it the duty of the Mixed Court to do, especially as his Excellency had, in his answer to Mr. Crawford's letter of November 3,* acknowledged the right of the Mixed Court alone to address him on such a subject.

I have the honour to inclose a copy and translation of that letter, which the Mixed Court accordingly sent to the Captain-General, and also of the Captain-General's answer. The defectiveness of the letter of the Mixed Court, and the evasive manner, to use the mildest term possible, in which the Captain-General had taken advantage of that defectiveness, made it appear to me proper that the Mixed Court should address a second letter to his Excellency.

I accordingly drew up, and had read to the Court, on the 1st instant, by the interpreter, a memorandum to that effect, of which I inclose a copy, and which led to a long discussion, that terminated in a very unsatisfactory way. The Spanish Judge made every conceivable objection to my proposal, and I adhered to it; whereupon the Spanish Judge proposed that the Spanish Arbitrator should be called on to arbitrate, and said that it was not a case for the British Arbitrator to deal with, as the person to act in that capacity was Mr. Crawford, who he said was interested in the matter. I combatted the notion of the question being looked on in this personal manner, and said the Court had nothing to do with this personal consideration, but had only to attend to the Treaty, which required that the name of one of the two Arbitrators should be drawn by lot. That I insisted was the right way to act. The Spanish Judge then shifted his ground, and said that this was not a case for arbitration, which was to be had recourse to only in cases of adjudication of prizes, and that such cases were all the Mixed Court had to deal with. I then reminded the Spanish Judge that he had originally proposed arbitration in the case; to which he answered, that in the course of discussion he had changed his mind. I pointed out to him that the 4th Article of Annex B to the Treaty of 1835 provides, that in case any difference of opinion should arise between the two Judges as to the mode of proceeding (*modo de actuar*) in the Court, they should draw by lot the name of one of the two Arbitrators; and that I did not see how the present case could be looked upon but as one of a difference of opinion between the two Judges as to the mode of proceeding in the Court. He said, that this was a question to be settled by the Spanish Government; or, as it was afterwards said, by the two Governments of Great Britain and Spain; and proposed that a copy of the proceedings of that day should be referred home for that purpose. This I objected to, as I considered it amounted to asking if the Mixed Court were to attend to the Treaty or not, and as it certainly involved, moreover, a considerable loss of time; and I said, that on these grounds I considered it my duty to protest against such a course.

Since the meeting of the Court at which the above-mentioned unsatisfactory discussion took place, I have had considerable difficulty in obtaining the drawing up of such a Report of the proceedings of the 1st instant, as I could consent to sign as a sufficiently faithful record of what took place. Nothing was written down at the time the discussion was taking place. The Report was drawn up afterwards from memory by the Secretary of the Court: he not perhaps at the time, though he was present, considering himself obliged to attend to all that was said. I, who had been engaged in the discussion, lost no time, immediately after it was over, in writing down my own account of it, and in drawing up my protest. After some difficulty, the Secretary to the Court drew up a report corresponding in substance with what I have above detailed to your Lordship respecting the meeting, and I consented to sign it; the Secretary was of course satisfied as to its correctness, which he would have had to certify had both Judges agreed to it. The Spanish Judge, however, refused to sign it, and on the 8th instant proposed a meeting of the Court on the 10th instant, that is to say, immediately after the departure of the English packet which was to be despatched on the 9th.

In the mean time I had leisure to examine strictly the question which had been raised by the Spanish Judge as to the occasions on which the Arbitrators

* See Class B, presented 1853, Inclosure 1 in No. 332.

could legally be called upon to act. I found it was one which had been raised as long ago as the year 1822; and the result of my examination was, that I appeared to have been in the wrong, and the Marquis de Esteva in the right as regarded this question; and that the matter was not a fit subject for arbitration, at least without previous reference to the Governments of Great Britain and Spain. In a despatch dated the 16th of January, 1822, the late Marquis of Londonderry, then Secretary of State for Foreign Affairs, stated, with reference to the question "as to the presence of Arbitrators on the discussion and settlement of matters which are extra-judicial," that, although the presence of Arbitrators, whether in forming a Mixed Court, or in the settlement of those points on which the Commissary Judges might differ in opinion, would, generally speaking, be of benefit in any of the matters under discussion, yet, upon reference to the Treaty (of 1817), and to the opinion of His Majesty's Law Officers, it did not appear to have been contemplated at the time of concluding the Treaty, and it therefore could not then be legally enforced, that the Arbitrators should have a voice except in matters relating to adjudication on seizures.

It is to be observed, that the despatch above referred to was written when the Treaty of 1817 was in force. There does not, however, appear to me to be much, if any, material difference between the two Treaties of 1817 and 1835 in the regulations affecting arbitration. I have sought in vain for any instructions on the subject written since the conclusion of the Treaty of 1835; and I have failed to discover by inquiry and by reference to the archives, that there is any precedent on record to serve as a guide in this matter. I have, therefore, thought it right, at least till I may receive fresh instructions on the subject, to take as my guide the above quoted despatch from Lord Londonderry, which plainly decided that such questions as the present could not legally be settled by arbitration.

On the 10th instant a meeting of the Court was held, as had been proposed by the Spanish Judge; his object, he said, was to arrange the Report of the proceedings of the 1st instant. I asked if he still maintained his objection to writing again to the Captain-General; and, on his answering that he did, I told him that on reconsidering the question as to this being a fit subject for arbitration, it appeared to me a doubtful question, and one that should be referred to the two Governments, and that I therefore withheld the protest which I had not yet formally given in, and which I had, when under a different impression, considered it my duty to draw up. A very abridged and incomplete account, of which I have the honour to inclose a certified copy and translation, of the proceedings of the 1st instant, including also those of the 10th, was then agreed to, and a letter was immediately addressed to Mr. Crawford, containing a copy of the answer of the Captain-General, which is communicated in this despatch, on the subject of Mr. Crawford's letters.

I have to observe, that the inclosed certified Report of the proceedings in the Mixed Court is true as far as it goes, though not complete; the question which I did intend, when first consenting to any reference to the two Governments, and on which I have to express a hope I may be favoured with instructions from your Lordship is, that on arbitration, under the present Treaty, which was settled by Lord Londonderry under the old Treaty. The question which appears in the inclosed certified document to have been intended, is that of drawing lots. To end useless disputes, I signed the Report and withheld my protest; my objection, on the ground of loss of time, being removed by my having myself a question to refer to your Lordship as above stated.

I beg to apologise for this lengthy account of what has been done since my arrival here in March last, in consequence of the instruction which was addressed to Mr. Crawford last year on the subject of the Emancipados. I have endeavoured, as briefly as possible, to convey a fair report of what has been done; to explain what is the question agreed to be referred to the two Governments respecting arbitration, for the future guidance of the Mixed Court; and at the same time requesting instructions as to the point which appears doubtful to me, and to show to your Lordship how, by evasiveness and opposition in turns, every attempt that has been made in accordance with the instruction which Mr. Crawford received last year, has hitherto been frustrated.

Your Lordship will perceive from the report of the proceedings in Court, that the Spanish Judge's objection to the Captain-General being addressed a

econd time, is grounded partly on his assertion that no communication had been received from the Government of Spain similar to that from the British Government, under which Mr. Crawford had acted. Whatever interpretation such an expression is capable of receiving, it was clearly intended to serve as a direct contradiction to the assurance given last year, by M. Bertran de Lis, to Her Majesty's Chargé d'Affaires at Madrid, to which Mr. Crawford, in his letter to the Mixed Court of April 13th, refers, as to instructions which had already been sent to the Captain-General.

There appears from all this no probability of the fulfilment of the promise made by the Spanish Government, of which I was informed in your Lordship's despatch of the 26th of March last, as to the liberation before the end of the present year of all the emancipados who might be entitled to liberty.

There is no doubt that the Spanish Judge, the Marquis de Esteva, has been endeavouring to act in conformity with the wishes of the Captain-General, who, no doubt, hopes by temporizing, to evade all inquiry into the case of the emancipados. Experience has, I think, shown that for information on this subject it is useless to apply to his Excellency any further in the ordinary way.

I have, &c.
(Signed) G. C. BACKHOUSE.

Inclosure 1 in No. 23.

Consul-General Crawford to the Mixed Court.

Havana, April 13, 1853.

HAVING some time ago received from Her Majesty's Secretary of State for Foreign Affairs, instructions to obtain and transmit to Her Majesty's Government the most detailed and accurate information as to the condition and number of the survivors of the Emancipados who were declared free by the Mixed Commission established here under the Treaty of 1817, and who were delivered up to the authorities of Cuba to be employed as servants or free labourers.

And Her Majesty's Government having transmitted to me, in a despatch dated the 1st of October last, a copy of a note which Mr. Otway, Her Majesty's Chargé d'Affaires at Madrid, had received from M. Bertran de Lis, Her Catholic Majesty's Secretary of State for Foreign Affairs, to the effect that the Captain-General of Cuba had been instructed to communicate to the Mixed Court the information which is mentioned in the 5th and 6th Articles of Annex C to the Treaty of the 28th June, 1835.

In the performance of my duty under the circumstances referred to, I did myself the honour (on the 3rd of November last) of communicating to His Excellency the Captain-General the despatch alluded to, and the disposition of Her Catholic Majesty's Government in observance of the stipulation of the 5th and 6th Articles of Annex C to the Treaty of 1835.

I also did myself the honour of addressing a similar official communication to the Mixed Court, with reference to that disposition of the Spanish Government, requesting that, as soon as possible after the lists of these Emancipados had been furnished according to the stipulation of the Treaty, I should be favoured with copies for the enabling me to comply with the instructions which have been repeatedly given with regard to that unfortunate class, for whose condition and entire liberation from slavery Her Majesty's Government has never ceased to express the most earnest solicitude.

I have therefore to request that the Court will be pleased to order copies of the lists of said Emancipados, together with the fullest and most accurate information respecting their number and condition, and that of their families, to be delivered to me for the information of Her Majesty's Government.

I have, &c.
(Signed) JOS. T. CRAWFORD,
Consul-General in Cuba.

Inclosure 2 in No. 23.

The Mixed Court to Consul-General Crawford.

(Translation.) *Havana, June* 2, 1853.

THE Mixed Court of Justice, not having yet received from his Excellency the Captain-General the lists of emancipados alluded to in your Honour's communications of the 4th of November last year, and the two letters reminding the Court thereof, dated 13th April, and 28th ultimo, and this Court not being informed by the Supreme Government of Her Catholic Majesty that orders had been given to his Excellency to furnish such lists, it is not possible to answer your Honour in any other way than to make this manifestation, although somewhat delayed, owing to the hope, duly confiding in what your Honour had stated, relative to these affairs, that from one day to another those data would have been obtained from the Superior Government.

God preserve, &c.

(Signed) THE MARQUES DE ESTEVA.
G. C. BACKHOUSE.

Inclosure 3 in No. 23.

The Mixed Court to the Captain-General.

(Translation.)

Most Excellent Sir, *Havana, July* 12, 1853.

THIS Mixed Court having received a communication from Her Britannic Majesty's Consul-General, dated the 13th of April of this year, requesting copies of the general returns, to which Articles 5 and 6 of Annex C to the Treaty of 1835 refer, relating to the existence of the negroes who may have been emancipated, their deaths, the improvements in their condition, &c., his Honour referring to the fact of its having been directed by the Supreme Government of Spain, that the said information should be communicated to the Court, as he stated he was informed from the Foreign Office of Her Britannic Majesty, and there not existing in this Court such returns, we have the honour to place it in the knowledge of your Excellency, with reference to the said communication.

God preserve, &c.

(Signed) THE MARQUES DE ESTEVA.
G. C. BACKHOUSE.

Inclosure 4 in No. 23.

The Captain-General to the Marquis de Esteva.

(Translation.)

Most Excellent Sir, *Havana, July* 23, 1853.

I HAVE received the official letter from your Tribunal of the 12th instant, soliciting for the Consul-General of England, and at his request, a copy of the returns relative to the existence of the emancipated negroes; and designating as officious the conduct of the said functionary, who has no authority to make such request, I give this answer to your tribunal.

God preserve, &c.

(Signed) VALENTIN CANEDO.

Inclosure 5 in No. 23.

Memorandum respecting the substance proposed by the British Judge of a Letter from the Mixed Court to the Captain-General.

Havana, August 1, 1853.

THE Mixed Court ought to write to the Captain-General to the following effect:—

After acknowledging the receipt of his Excellency's letter of the 23rd July, it should point out to him that he has therein made an important mistake.

The Captain-General asserts, with reference to Mr. Crawford's letter of the 13th April, mentioned in the letter from the Mixed Court of July 12, that the Consul-General has no authority to make the request contained in his letter, respecting the emancipados. Had the Mixed Court been of opinion that such was the case, it would not have addressed the Captain-General officially as it has done, upon the request made to it.

In order to explain this matter more clearly to the Captain-General, a copy of Mr. Crawford's letter of April 13th should accompany this letter of the Mixed Court, and his Excellency should be requested to enable the Court to supply Mr. Crawford with the information requested, which forms a part of that referred to in Articles 5 and 6 of Annex C to the Treaty of 1835.

Inclosure 6 in No. 23.

Proceedings in Mixed Court on question of certain Returns respecting Emancipados.

(Translation.) *Havana, August,* 1853.

I, DR. DON JOSE ANTONIO VALDES, Advocate of the Reales Audiencias of this island, Professor of Jurisprudence in the Royal Literary University of this city, and Secretary by appointment from Her Majesty of the Mixed Court of Justice established for the abolition of the Slave Trade,

Certify, that in the proceedings instituted in this Mixed Court of Justice upon a communication from the British Consul-General in this island, addressed to his Excellency the Spanish Judge, relative to a copy of the note from his Excellency the Minister of State, concerning a recommendation having been sent to his Excellency the Governor and Captain-General to furnish to this Court the lists of the Emancipados to which the 5th and 6th Articles of Annex C refer, together with other communications relating to the same subject, the report of the proceedings is as follows:—

In the always most faithful city of the Havana, on the 1st of August, 1853, in the house of his Excellency the Marquis de Esteva, the Spanish Judge of this Mixed Court of Justice, his Excellency and Mr. G. C. Backhouse, British Judge of the same Court, being assembled, attended by the Government interpreter, Don Ernesto Saportas, by me, the Undersigned Secretary, were read the official letter of his Excellency the Governor and Captain-General, which precedes, and the antecedents to, this communication; being made acquainted therewith through the medium of the interpreter, the

British Judge proposed that there should be given to the English Consul a *verbatim* copy of the said official letter, and that there should be sent to his Excellency the Captain-General another official letter, inclosing to his Excellency a copy of the communication made to this Court on the 13th of April last by the said Consul, in order that, with it before him, he might rectify his opinion as to the authority of that functionary to ask for the return of the emancipated negroes to which the 5th and 6th Articles of Annex C to the Treaty of 1835 relate.

His Excellency the Spanish Judge declared his consent to the sending to the British Consul-General the copy to which his colleague referred, but not to the sending again of an official letter relating to the matter to his Excellency the Governor and Captain-General, as he did not think that the Court was authorized to make to his Excellency the observations to which the British Judge alludes, there not having been received as yet, from the Supreme Government of Spain, a communication similar to that from the British Government directed to the Consul-General, who communicated it to this Court on the 4th of November last. His Honour did not agree to this, urging what he had proposed; in this state of things it was suggested, that it might be well to resort to arbitration; but his Excellency stated that in such case it would be indispensable that the Spanish Arbitrator alone should assist, as the Consul having at present the character of English Arbitrator, he considered him partial, and consequently debarred from pronouncing on the matter in discussion, in the event of his being chosen by lot: moreover, the matter in deliberation not being on the adjudication of a prize—to which cases only his Excellency believes the Article of the Treaty which speaks of the choice of arbitrators relates. The British Judge stated, that, in case of having to resort to Arbitrators, the one to decide the matter in deliberation should be drawn by lot, as the Treaty proposed this remedy for all cases on which the Judges might not agree. And, as in this his Excellency and his Honour were not unanimous, they agreed that this report of the proceedings should be drawn up, and that under the circumstances, this point should be referred to the two Supreme Governments of Spain and Great Britain, to provide for other cases which might in future occur. And it was agreed that a certified copy of the report of the proceedings at this meeting should be given to his Honour from the Secretary's office, the communication which was to be made to the Consul being still agreed to. And this being agreed on, the extending of the present document was proceeded with, which his Excellency, his Honour, and likewise the interpreter, signed; which I, the Secretary, certify,

(Signed) ESTEVA.
G. C. BACKHOUSE.
ERNESTO SAPORTAS.

DON JOSE ANTONIO VALDES,
Secretario.

And in accordance with what was agreed upon, as expressed in this document, I issue this in order to deliver it to the British Judge, in the Havana, the 13th of August, 1853.

(Signed) DON JOSE ANTONIO VALDES,
Secretario.

No. 24.

Her Majesty's Commissary Judge to the Earl of Clarendon.
(*Received October* 23.)

My Lord, *Havana, September* 9, 1853.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 28th of July, instructing me to address a note to the Captain-General respecting the case of the Emancipada Escolastica and her children, and at the same time to transmit to his Excellency a copy of a letter from Count Alcoy to Lord Howden, promising on the part of the Government of Her Catholic Majesty, freedom before the end of the present year to all the Emancipados with certain exceptions.

As the present case did not appear to me to be strictly one on which, under the instruction contained in the Earl of Aberdeen's despatch to Her Majesty's Commissioners, No. 2, dated the 3rd of February, 1845, I ought to address the Captain-General, and as I conceived that without positive reference to that instruction, which was written for the general guidance of Her Majesty's Commission on a point of etiquette in certain descriptions of cases, the said instruction was not intended to be superseded; I concluded that I should not be considered as acting in disobedience to the spirit of your Lordship's instruction in the present case by adhering literally as it appears to me, to the rule laid down in the above-mentioned general instruction, and instead of addressing a note to the Captain-General as I was directed, requesting Her Majesty's Consul-General to do so.

The instruction above referred to was written in February, 1845, in consequence of the refusal of the Captain-General (General O'Donnell) to receive and attend to certain communications from Her Majesty's Commissioners; his Excellency alleging that inconvenience arose from communications of the same nature coming sometimes from one functionary and

sometimes from another, namely, from the Consul and the Commissioners; and limits the communications of the Commissioners with the Captain-General to the cases of vessels (together with any points arising therefrom) detained under the Treaty in virtue of which they act. Now as Escolastica was taken in a vessel detained in 1828, under the Treaty of 1817, and not under that of 1835, in virtue of which I act as a Commissioner, her case appeared to me to be one of those on which the Captain-General might, with his evident disposition to cavil, plausibly object to my addressing his Excellency.

Accordingly after consulting Her Majesty's Consul-General, who undertook to forward any communication I might think proper to make through him, I addressed a letter to that gentleman, who forwarded to the Captain-General a copy of my letter and its inclosure, and obtained an acknowledgment from his Excellency.

I have the honour to inclose herewith copies of the correspondence which took place.

The Captain-General's answer to Mr. Crawford removed the doubt I had entertained as to the propriety of my addressing his Excellency, whereby, besides implicitly obeying your Lordship's instruction, it appeared to me that I should be doing all in my power to deprive him of any frivolous pretext for asserting that he had not received an official communication on the subject. I accordingly wrote to his Excellency a letter of which I have the honour of inclosing herewith a copy, together with a copy and translation of his Excellency's answer.

I trust, my Lord, I may be pardoned for the deviation, of which I was in the first instance guilty, from the letter of your Lordship's instruction to me.

The Captain-General's answer to me is, it will be seen, very similar in effect to that which he sent Mr. Crawford. He evades the point in question, by denying my right to deal with it.

I have, &c.
(Signed) G. C. BACKHOUSE.

Inclosure 1 in No. 24.

Her Majesty's Commissary Judge to Consul-General Crawford.

Sir, *Havana, August* 24, 1853.

I HAVE received a despatch from the Earl of Clarendon, Her Majesty's Principal Secretary of State for Foreign Affairs, respecting the case of an Emancipada named Escolastica, and her children, in whose behalf you have made an application to the Captain-General, and who have been transferred from Havana to the interior of the island.

In obedience to instructions contained in Lord Clarendon's despatch, I have to request that you will address a note to his Excellency the Captain-General, transmitting to him a copy of the inclosed letter,* addressed by the Count de Alcoy to Lord Howden on the 15th of March last, informing him what steps had then been taken in accordance with a promise which the Spanish Government had already made, that all the captured negroes in Cuba who were entitled, by virtue of the Treaties between Great Britain and Spain, of 1817 and 1835, to claim emancipation, should, with certain exceptions, receive their freedom before the end of the present year of 1853; and that you will at the same time state to his Excellency that Her Britannic Majesty's Government maintain that Escolastica and her children ought to be included in the class of Emancipados whose liberation has been promised to Her Majesty's Government by the Government of Her Catholic Majesty.

I have, &c.
(Signed) G. C. BACKHOUSE.

Inclosure 2 in No. 24.

Consul-General Crawford to Her Majesty's Commissary Judge.

Sir, *Havana, August* 29, 1853.

I HAVE the honour of transmitting to you herewith a copy of the letter which I addressed to his Excellency the Captain-General, in consequence of your despatch of the 24th, and I also inclose to you a copy of Mr. Secretary Del Busto's answer, which is dated the 27th instant.

The object of serving the notice upon his Excellency with regard to the liberation of the Emancipados generally, as promised by the Spanish Government in Count Alcoy's note to Lord Howden of the 15th March last, you will observe, has been fully accomplished, as well as the special notification respecting Escolastica and her children, notwithstanding the gratuitous observations which General Cañedo directed the Political Secretary to make in the concluding paragraph of his answer.

I have, &c.
(Signed) JOS. T. CRAWFORD,
Consul-General in Cuba.

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* See Class B, Inclosure 4 in No. 408, p. 555.

Inclosure 3 in No. 24.

Consul-General Crawford to the Captain-General.

Most Excellent Sir, *Havana, August* 24, 1853.

I HAVE the honour of inclosing herewith to your Excellency the copy of a letter of this day's date, which Mr. Backhouse, Her Majesty's Judge in the Mixed Court of Justice in this place, has addressed to me, in consequence of instructions which he has received from Her Majesty's Government, with reference to the correspondence which I have found it my duty to address to your Excellency respecting the Emancipada Escolastica, and her children.

Her Majesty's Commissary Judge requests me to transmit to your Excellency the inclosed copy of a note which was addressed by his Excellency the Count Alcoy to Lord Howden, Her Majesty's Minister at Madrid, on the 15th of March last, informing him what steps had been taken in accordance with the promise which the Spanish Government had already made that all the captured negroes who were entitled, by virtue of the Treaties between Great Britain and Spain of 1817 and 1835, to claim emancipation, should, with certain exceptions, receive their freedom before the end of the present year of 1853.

And I am at the same time to state to your Excellency that Her Britannic Majesty's Government maintain that Escolastica and her children ought to be included in the class of Emancipados whose liberation has been promised to Her Majesty's Government by that of Her Catholic Majesty.

I have, &c.

(Signed) JOS. T. CRAWFORD,
Consul-General in Cuba.

Inclosure 4 in No. 24.

The Secretary to the Captain-General to Consul-General Crawford.

(Translation.) *Havana, August* 27, 1853.

HIS Excellency the Governor and Captain-General received your Honour's official letter of the 20th instant, inclosing to him copies of a letter addressed by you to Her Britannic Majesty's Commissary Judge in the Mixed Court of Justice, respecting emancipated negroes.

His Excellency, in consequence thereof, orders me to say to you, that as your Honour has no authority for interference in that sort of business, he regrets that he cannot give any answer whatever upon the subject.

God preserve, &c.

(Signed) LORENZO DE BUSTO.

Inclosure 5 in No. 24.

Her Majesty's Commissary Judge to the Captain-General.

Most Excellent Sir, *Havana, August* 31, 1853.

I HAVE the honour to state to your Excellency, that I have received from Mr. Crawford, Her Britannic Majesty's Consul-General, a copy of a letter which, by your Excellency's direction was addressed to him on the 27th instant, in answer to a letter which, at my request, under instructions from Her Britannic Majesty's Government, he addressed to your Excellency, on the subject of the case of the Emancipada Escolastica, and her children; and in which, also at my request, under similar instructions, he transmitted a copy of a letter from the Count de Alcoy to Lord Howden, respecting a promise made by the Government of Her Catholic Majesty to that of Her Britannic Majesty relating to the liberation of the Emancipados.

It appearing therefrom that your Excellency does not consider Her Majesty's Consul-General to be the proper person to make a communication on such a subject to your Excellency, I have to state that it was through a perhaps mistaken notion of etiquette, in which I considered myself called upon to use my own judgment, that I requested Her Majesty's Consul-General to address your Excellency, and that a literal obedience to my instructions from Her Majesty's Government required me to address your Excellency myself.

I have accordingly the honour to state to your Excellency, that I have received a despatch from Her Majesty's Secretary of State for Foreign Affairs, directing me to address a note to your Excellency, transmitting to you the inclosed copy of a letter from the Count de Alcoy to Lord Howden, dated the 15th of March last, on the subject of a promise made by the Government of Her Catholic Majesty to that of Her Britannic Majesty, that all the captured negroes in Cuba, who may be entitled, by virtue of the Treaties between Great Britain and Spain of 1817 and 1835, to claim emancipation shall, with certain exceptions, receive their freedom before the end of the present year. I am further directed, in the same despatch, to call your Excellency's particular attention to the case of an Emancipada named Escolastica, and her children, in whose behalf Her Majesty's Consul-General has already made an application to you, and who have been transferred from Havana to the interior of the island; and I am directed to state to your Excellency, that Her Majesty's Government maintain that Escolastica and her children ought to be included in the class of the Emancipados whose liberation has been promised to Her Majesty's Government by that of Her Catholic Majesty.

I have, &c.

(Signed) G. C. BACKHOUSE.

Inclosure 6 in No. 24.

The Captain-General to Her Majesty's Commissary Judge.

(Translation.) *Havana, September* 6, 1853.

I RECEIVED the kind official letter from your Honour of the 1st instant, referring to that which the Consul-General of England in this city addressed to me, concerning the emancipated negroes, to whom I made no statement on the matter, on account of his not having authority to interfere in such matters.

In answering your Honour on the same subject, I am very sorry not to be able either to comply with your wishes; but it is my duty to inform you, as a mark of my deference, that the Government of Her Majesty the Queen, my August Sovereign, is occupied in this matter with all the good faith which distinguishes it, and with all the sincerity which should in cases of this nature, which, from their character, can alone be treated of between the two Governments without the intervention of any class of agents other than those purely diplomatic; and I have the pleasure of making this manifestation to your Honour for your information, and the consequent results.

God preserve, &c.

(Signed) VALENTIN CANEDO.

No. 25.

Her Majesty's Commissary Judge to the Earl of Clarendon.—
(Received November 2.)

My Lord, *Havana, October* 7, 1853.

IN obedience to your Lordship's instructions, contained in your despatch of the 25th of August last, to endeavour to ascertain from the Captain-General what arrangements he has made in order to carry into effect the engagements of the Spanish Government respecting the Emancipados, which are recorded in the Count de Alcoy's letter to Lord Howden, of the 15th of March last, a copy of which was transmitted to me in your Lordship's despatch of the 28th of July; I have the honour to state that on the 26th ultimo, I addressed to his Excellency a letter, a copy of which I herewith inclose, and that on the 30th ultimo, I received an answer from his Excellency, dated the 28th, of which I inclose a copy and translation. This answer being not simply confined to a refusal of the information, but containing moreover a request that I would not address any more such communications to his Excellency, I thought proper, in order to avoid being supposed to acquiesce in such a request, to address to him another letter, of which I have the honour to inclose a copy, dated the 1st instant.

I trust the course I have pursued in this instance may meet with your Lordship's approval. My experience of the Captain-General's disposition, especially as shown in my despatch of August 13th, convinced me that nothing short of compulsion would obtain a satisfactory answer from him on any matter relating to the Emancipados; but it appeared to me that there was no other way for me to obey the instruction I had received but that which I have adopted. My despatch, above referred to, shows how utterly useless it would most probably have been to have attempted to obtain the co-operation of the Spanish Judge, as the Captain-General suggests in his letter herewith inclosed, of the 28th ultimo, in making such an inquiry as I alone was instructed by my own Government to make.

I beg most respectfully to draw your Lordship's attention to the fact, that the 6th Article of Annex C to the Treaty of 1835 appears to have been neglected by every Captain-General since the conclusion and ratification of the Treaty, and that there appears to be no probability of the present Governor of this island being of his own accord the first to follow the course therein laid down for his guidance.

It does not appear that the Mixed Commission is authorized to ask for the return which, by the above-mentioned Article of the Annex to the Treaty, the Captain-General is bound to deliver to it every six months; and even if it could be argued that the Mixed Commission had a right to make such a demand, my present Spanish colleague would (without special instructions from his

Government) undoubtedly refuse to join in making it, pleading, most probably, precedent and consideration for the Captain-General, as his ground for refusal.

I have, &c.
(Signed) G. C. BACKHOUSE.

Inclosure 1 in No. 25.

Her Majesty's Commissary Judge to the Captain-General.

Most Excellent Sir, *Havana, September* 26, 1853.

IN obedience to an instruction which I have received from Her Britannic Majesty's Principal Secretary of State for Foreign Affairs, I have the honour to request that your Excellency will do me the favour to inform me what arrangements you have made in order to carry into effect the engagements of the Spanish Government respecting the Emancipados, which are recorded in the Count de Alcoy's letter to Lord Howden of the 15th of March last, to which I had the honour to refer your Excellency in my letter of the 31st ultimo.

I have, &c.
(Signed) G. C. BACKHOUSE.

Inclosure 2 in No. 25.

The Captain-General to Her Majesty's Commissary Judge.

(Translation.) *Havana, September* 28, 1353.

I HAVE received the official letter of your Honour of the 26th instant, referring to the Emancipados, and I am sorry not to be able to give you the information you ask of me; for, as I have pointed out to you on the 6th of the present month, I cannot admit, in your capacity as a Commissary Judge of the Mixed Tribunal, authority to treat on this subject, nor on any other which may not relate to the object for which said Tribunal is established; and as in the latter acceptation, neither is it permitted me to communicate with any one in particular of its members, but with the Tribunal itself integrally, I beg of your Honour not to place me under the necessity of refusing you, as in the present case, the information you ask of me; as in thus doing, I feel pain at not being able to satisfy you; which I say to your Honour in answer to your above-mentioned official letter.

God preserve, &c.

(Signed) VALENTIN CANEDO.

Inclosure 3 in No. 25.

Her Majesty's Commissary Judge to the Captain-General.

Most Excellent Sir, *Havana, October* 1, 1853.

I HAVE the honour to acknowledge the receipt of your Excellency's letter of the 28th ultimo, from which it appears that your Excellency considers that the subject of my letter of the 26th ultimo is not that of any object for which the Mixed Court was established, and that you cannot communicate with any one of its members in particular; and in which you request me not to place your Excellency under the necessity of refusing me, as in the present case, the information which I request.

In reply, I have the honour to state to your Excellency, that I shall continue to obey, to the best of my power, the instructions which I may receive from Her Britannic Majesty's Government.

I have, &c.
(Signed) G. C. BACKHOUSE.

No. 26.

Her Majesty's Commissary Judge to the Earl of Clarendon.—(Received Nov. 2.)

My Lord, *Havana, October* 10, 1853.

I HAVE the honour to report that I have been lately called upon by a negro, who is stated on good authority to be an Emancipado, called Demetrio Lucumi, and to have been brought to this island in the brig "*Negrito*," captured in November, 1832, by His Majesty's sloop "Victor," and condemned in December, 1832, by the Mixed Court. He is reported to have been consigned in the course of the 20 years he has been here to several masters, and to have maintained a good character. He is said to have applied on former occasion

to the Government of this island for his free paper, and the last time he applied was by his own account five days before the departure, in April 1852, of General Concha, the immediate predecessor of the present Captain-General. His present master is said to be Don Eustaquio Rebuelta. This Don Eustaquio Rebuelta appears to obtain a considerable income by Emancipados; he is mentioned as the receiver of a re-assigned Emancipado by Mr. Crawford, in a despatch dated October 8th, 1847 (Slave-Trade Papers presented to Parliament in 1848, Class A., p. 95). Demetrio states that he has been formerly in the service of Don Manuel de Armas, at that time Alcalde, who delivered him up to General O'Donnell, formerly Captain-General; that Llera, the Commissary of Police, was his last master, who delivered him up to the Government, by whom he was assigned to Don Eustaquio about three months ago. I have endeavoured, with considerable difficulty, on account of the apparent ignorance of the man, but with considerable assistance on the part of Mr. Callaghan, who is at present acting as my clerk, to obtain as much information as possible from Demetrio respecting himself and other Emancipados. He says that Don Eustaquio has in his possession in the Havana, where he resides, 24 Emancipados, besides many others in other places; that his Emancipados have, as a general rule, to find whatever employment they can or choose; and that they have no account to render him beyond paying him five rials fuertes; eight of which go to the dollar, for every day, not even excepting Sundays and other holidays, which, by the law of this country, are allowed to slaves, to be employed entirely to their own profit,—that is by the law of this country, which I believe, however, is not now strictly observed in sugar estates,—no master can on those days require from his slave either labour or payment; that Don Eustaquio never gives them clothes, which masters here are required by law to afford their slaves; and that, when they fail to pay him the five rials a day, he sends them to work out of the city as a punishment. Demetrio is said to have worked both in the city and on sugar estates, but latterly in the city; when in the service of Don Manuel de Armas, he was employed on his "master's" sugar estate, called the "Chumbad." Demetrio says that he is the only Emancipado from the "*Negrito*," in the possession of Don Eustaquio, but that he knows many of his companions in the said brig; and that he knows seven at the railway station at this place, and that perhaps there may be more. Amongst these he mentioned one named Pablo, by which name he himself formerly went. It appears of considerable importance to observe, if the statement is correct, that this Demetrio has, by his own account, had his name changed two or three times, that is on his changes of masters, by which means his identity may be more difficult to prove. He says that this Pablo is the "contra-mayoral" over the labourers at the railway station. He mentioned also another employed at this same railway station, whom he said he knew only by his African or "Guinea" name; but he said this latter man could be recognized by his having lost all the fingers of his left hand, the thumb alone remaining; these two men, he says, were both brought hither with him in the "*Negrito*." He further said, that all the negroes working on the railroad belonging to the Havana Company are Emancipados; that there are about 40 of them out of the town, and 28 at the station. Demetrio has called more than once; the first time he called I did not see him, but Mr. Crawford did, and with Mr. Crawford he left a petition, drawn up and signed on his behalf by a lawyer of the Havana, and addressed to the Captain-General. Demetrio was afraid of his master being informed of his endeavour to obtain his liberty, knowing by experience that his master would in such case send him to an estate or quarry as a punishment; and as I thought that the presentation of the petition to the Captain-General, or anything I might address to his Excellency on the subject, would be more likely to do harm than good to Demetrio, leading perhaps to his being treated as Escolastica has been, I have, with Demetrio's consent, kept the petition in my possession, and confined myself to addressing your Lordship on the subject of it, for such steps as you may think proper. I have to add, that Demetrio states he has two children, but that they are by a slave, and that therefore he cannot claim them.

Some time ago a negro called at Mr. Crawford's house, where my office is, but when I was not there, describing himself as an Emancipado, named Narciso Antonio, who was assigned 12 years ago to Don Juan Palarea, a clerk in the Political Secretary's office here, and that he had been previously assigned to Don Augustin Santali, now a lawyer in Puerto Rico. As his

account of his capture was not satisfactory, and as Mr. Crawford told me this man was coming again in a fortnight, I took no steps at the time, hoping to obtain a more correct statement. He says that he was captured by an English frigate in the brig "*Negrito*," in the year 1834, and in the time of General Vives: this cannot be correct. The brig "*Negrito*" was captured by His Majesty's sloop "Victor," in November 1832, and not in 1834, and General Vives had left this island several months previous to this capture, namely, on the 23rd of May, 1832; General Ricafort having, on the 15th of May, a few days previous to General Vives' departure, assumed the government of this island as Captain General.

Months have elapsed since Narciso Antonio made this statement to Mr. Crawford, and he has never returned. Although it would have been more satisfactory to have first cleared up the confusion in a part of this negro's statement, yet I have thought it better now to report the whole statement such as it was made to Mr. Crawford, and recorded by him at the time in a memorandum in my possession. The remainder of Narciso Antonio's statement was, that by trade he was a cook and shoemaker, but was, at the time of making the statement, obliged to seek employment in the street; that Don Juan Palarea had then in his possession his paper as Emancipado, and his *fé de bautismo*.

There is one other case which I think it right now to report, that of a negress who called on me as long ago as last April. She had applied to this Commission for assistance to obtain her paper of freedom before my arrival here; but it does not appear that anything has been done in consequence. Her case does not appear to be one on which a British Commissioner has authority, directly or indirectly, to apply to the Captain-General, inasmuch as she was not brought in a vessel captured by a British cruizer, as is the case according to the statement made with those negroes whom I have mentioned above. She states that she was liberated by General Valdés. Her name she gave as Maria Florencia de la Paz; she said she belonged to the Carabali nation; that she was one of 150 Bozales captured under the orders of General Valdés, on the 17th of January, 1842, and that she was landed near Santiago de Cuba, from a vessel called "*El Nacimento de Isabel Segunda*." It appears from a letter from General Valdés to the British Commission, dated January 29, 1842 (papers presented to Parliament in 1843, Class A, page 134), that such a seizure as she mentions was made at the date given by her; of the exact date of her seizure she informed me by bringing a negro who had been another of the 150, and had got his paper of freedom which he brought with him. General Valdés, in his letter above-mentioned, supports her statement as far as it goes; but his Excellency states that he did not know the name of the vessel. The negress in question states, that she was placed first in the Real Casa de Beneficencia, that her first consignment was to Don Patricio de la Paz, and her next to Don Augustin Raura; and she stated that she was, at the time I saw her, in the service of a mistress whose name, I regret to say, I have not got, and who exacted from her half a dollar a day, to be earned in whatever way it could. I have neither seen nor heard anything of this negress since April.

I hope by the next mail to be able to send to your Lordship further particulars about individual Emancipados, in addition to some general information on the subject, which it would appear to me very necessary for Her Majesty's Government to possess, with a view to a performance of the promise given by the Government of Spain.

I have, &c.
(Signed) G. C. BACKHOUSE.

No. 27.

Her Majesty's Commissary Judge to the Earl of Clarendon.—(Received Nov. 2.)

(Extract.) *Havana, October* 10, 1853.

THE check given to the Slave Trade, mentioned in my despatch of the 9th of July last, by the recent measures of the Captain-General, consisting in the pursuit and capture of newly landed slaves on the estates to which they had been conveyed, has some time since been removed, those measures having

been pronounced by the Real Audiencia illegal; and Don Julian Zulueta has now been a considerable time out of prison.

For some months past there has been great mortality amongst the negroes in this island by cholera. About the middle of June, I first heard that cholera had attacked many of the negroes on an estate near Cardenas; and since that time I have heard frequent reports of its spreading on the estates in the neighbourhood of Cardenas and Matanzas; and a little more than a month ago I heard that Don Julian Zulueta had lost by cholera between 300 and 400 out of 800 or 900 negroes on his estate near Matanzas. The number of negroes who have died this year of cholera and small-pox in the jurisdiction of Matanzas is said to amount to 15,000. In the early part of August, I heard that on a sugar estate not far from Guines, a large proportion of the negroes, consisting of more than 100, had died of cholera in the space of five days; I afterwards heard that the total number of negroes on that estate was originally 220, and that in the course of a fortnight 152 had died of cholera, the majority of them in the first few days, and that the working of the estate was consequently stopped. This estate belongs to a Mr. Scull, no doubt the person mentioned by Mr. Kennedy in his despatch of April 25, 1849 (Papers presented to Parliament in 1850, Class A. p. 35), as a planter of that name, who had purchased 80 newly landed slaves. The general mortality among the negroes has no doubt acted, in the case of wealthy proprietors, as an immediate stimulus to the Slave Trade; while some of the less wealthy have been ruined.

The sickness here generally by yellow fever has been, I believe, unusually great this season, and has attacked very severely the ships in harbour. The Spanish naval force here, which is very large, has suffered very much; but by the arrangements made here for such purpose, fresh hands have, I believe, been very readily procured, although I am told many of the available fresh hands had already, with the permission of the proper authorities, been obtained by English and American merchant vessels, which had suffered by the sickness.

The British naval force employed here to suppress the Slave Trade is frequently remarked on as utterly inadequate to the task. Since June, there has I believe been only one British vessel of war, Her Majesty's brig "Daring," about this part of the island; she was in harbour here two or three days in the latter part of July, on her way from Laguna de Terminos to Jamaica. I understand privately, that the only British vessels now cruizing off this island are the "Espiègle" and "Bermuda," both off the south coast. In the meantime, as your Lordship is aware, landings of negroes on this island have latterly been very frequent; and there is reason to think many fresh expeditions have recently been undertaken to Africa.

No. 28.

The Earl of Clarendon to Her Majesty's Commissary Judge.

Sir, *Foreign Office, November* 8, 1853.

I HAVE received your despatch of the 7th ultimo, and its inclosures, and have to acquaint you that I approve of the manner in which you endeavoured to execute the instructions I had given you, to ascertain from the Captain-General what arrangements he had made for carrying into effect the promise of the Spanish Government respecting the Emancipados.

I have further to acquaint you that the Spanish Minister for Foreign Affairs has, within the last few days, assured Her Majesty's Chargé d'Affaires at Madrid, that peremptory orders have been sent to General Canedo, desiring him to carry into effect without delay the decision of the Spanish Government with respect to these Emancipados.

I am, &c.
(Signed) CLARENDON.

No. 29.

The Earl of Clarendon to Her Majesty's Commissary Judge.

Sir, *Foreign Office, November* 8, 1853.

WITH reference to your despatch of the 10th ultimo, reporting the cases of certain Emancipados who had presented themselves at your office, I have to state that all cases of Emancipados claiming liberation should be formally brought before the new Captain-General, on his arrival in Cuba, care being of course taken that the proofs of their respective claims are well authenticated.

I am, &c.

(Signed) CLARENDON.

No. 30.

The Earl of Clarendon to Her Majesty's Commissary Judge.

Sir, *Foreign Office, November* 12, 1853.

I HAVE had under my consideration, and have consulted the proper law officer of the Crown upon, the contents of your despatch of the 13th of August; and I have to inform you, with reference to the discussions that took place between you and your Spanish colleague, as to whether the British Consul-General in Cuba was or was not competent to require the Mixed Court to communicate to him the information relative to emancipated negroes, which is mentioned in the 5th and 6th Articles of Annex C to the Treaty of 1835, that I am of opinion that the difference between you and the Marquis Esteva on this point was not such a difference of opinion as is contemplated in the 4th Article of Annex B of the above-mentioned Treaty, which provides that if any difference of opinion should arise between the two Judges as to the mode of proceeding in the Court, they should draw by lot the name of one of the two Arbitrators who should have a voice in the decision of the point in dispute.

According to the opinion of the Queen's Advocate, the Arbitrator may be resorted to in the following cases, and in those only, namely: First, if the two Judges should not agree as to the sentence which they ought to pronounce in any case brought before them, whether with respect to the legality of the detention, the liability of a vessel to condemnation, the indemnification to be allowed, or any other question which may arise out of a capture; and 2ndly, if any difference of opinion should arise between the Judges as to the mode of proceeding in Court (modo de actuar del Tribunal), which phrase, in the opinion of the Queen's Advocate, relates to the procedure and practice of the Court in the exercise of its jurisdiction in cases brought before it upon any of the above-mentioned subjects.

Mr. Crawford's application to the Court was not, in the opinion of Her Majesty's Government, such a "a case brought before it," neither was the communication proposed to be made by the Court to the Captain-General, however proper under the peculiar circumstances of the case, legally such a "mode of proceeding in the Court" as was contemplated in Annex B of the Treaty of 1835; for, as the Mixed Court has no jurisdistion over the Captain-General, the proposed communication to General Cañedo would have been an extra-judicial act, and consequently a difference of opinion thereon would clearly not be such a difference of opinion as to the "mode of proceeding" in the Court, as would justify a resort to the Arbitrator, under Article 4 of Annex B.

I have further to state to you, in answer to your inquiry on the following point, that as Commissary-Judge under the Treaty of 1835, you are not bound by the instructions addressed to the British Commissioners by the Secretary of State in 1822, because those instructions related to the Treaty of 1817, and

the regulations laid down in the Annex to that Treaty for the guidance of the Mixed Commission, are not precisely the same as those contained in Annex B to the Treaty of 1835.

I am, &c.
(Signed) CLARENDON.

No. 31.

Her Majesty's Commissary Judge to the Earl of Clarendon.—
(Received December 5.)

My Lord, *Havana, November 9, 1853.*

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 9th of September last, with its inclosures, respecting the lists of Emancipados which ought to be communicated by the Captain-General to the Mixed Commission, in conformity with the 5th and 6th Articles of Annex C to the Treaty of 1835 between Great Britain and Spain.

Though it appears from that despatch that the Captain-General said, so long ago as the 8th of November of last year, that he would fulfil the orders from his Government to supply the lists in question, I have to observe that hitherto, after the lapse of a year, he has failed to do so; the periodical recurrence of his obligation to do so under the Treaty, independently of the orders from his Government, having moreover passed over, neglected, twice in the meantime.

I communicated to Mr. Crawford, as I was directed, the inclosures in your Lordship's despatch above-mentioned. Mr. Crawford has shown me a despatch which he has thought proper to address to your Lordship on the subject of the observations therein contained, made on him by General Lersundi.

With reference to another part of General Lersundi's letter, I beg to refer to my despatches as proof that, if, as General Lersundi supposes, the Captain-General believed the returns in question were no longer required, the Mixed Court did not, as General Lersundi supposes also, concur with his Excellency in that belief.

I have, &c.
(Signed) G. C. BACKHOUSE.

No. 32.

Her Majesty's Commissary Judge to the Earl of Clarendon.—
(Received December 5.)

My Lord, *Havana, November 10, 1853.*

WITH reference to my despatch of the 10th of October, respecting Emancipados, I have the honour to state that I have been endeavouring to get all the information possible on the subject, principally with a view of ascertaining what number of Emancipados are now in existence.

I have begun by assuming the number at the time of the report made by Her Majesty's Commissioners at the Havana, in their despatch dated October 31, 1845, to have been, in round numbers, 1200. This assumption appeared to me to be sanctioned by the account given in their subsequent despatch, dated May 8, 1847, which was written in consequence of an instruction from Viscount Palmerston of October, 1845, and which, though vague and unsatisfactory, as it could not but be under the circumstances, appears to have been accepted by Viscount Palmerston.

Assuming accordingly the number of Emancipados in existence on the 31st of October, 1845, to have been 1200, I have collected all the data given in the correspondence of this Commission, from that day down to the present, which could affect their numbers.

From these data alone it would appear that the number of Emancipados has increased. In the year 1847, General O'Donnell (then Captain-General) seized and made Emancipados 136 newly-landed negroes. In the year 1848 Count Alcoy, his successor, made in the same way 130 Emancipados, whom he

assigned to Don Julian Zulueta and to Perejo, the agent then, as he is still, of the Queen Mother of Spain: in 1849 Count Alcoy made two seizures; the first was of 85 negroes, the greater number of whom, if not all, he assigned to Parejo; the other seizure was of 174 negroes. The number of negroes taken in these three seizures by Count Alcoy, and declared Emancipados, amounts to 389. In November, 1851, under the Captain-Generalship of General Concha, a seizure was reported to have been made by Spanish authorities, near Santa Cruz, on the south side of the island, of 96 negroes, who, in December, were said to be all dead, but in February following, after an investigation by General Concha, were reported to have been made Emancipados. In December, 1851, 414 negroes were reported to have been seized on the coast of Cardenas, and declared Emancipados, by General Concha; but among these there was reported to have been great mortality, without however any statement, or even estimate, of the number of deaths among them. These two latter seizures, supposing none to have died, would make 510 added by General Concha to the list of the Emancipados. Mr. Crawford, in his despatch of the 17th of November last, reported, as Acting Commissary Judge, that there had been seized near Ortigosa, in the marshes of Grandiller, jurisdiction of Bahia-Honda, and declared Emancipados by the present Captain-General Cañedo, 25 negroes; and in my despatches of May 10 and of June 20, I had the honour to report, in the former, that 16, and in the latter, that 235 more, had been declared Emancipados. These last-mentioned were reported to have been seized at Siguapa, jurisdiction of Cardenas; and there is reason to suppose that they had belonged to the large cargo brought by Capó in March last. Thus it appears that there have been added, within the eight years to which I refer, to the list of Emancipados, by General O'Donnell 136, by Count Alcoy 389, by General Concha 510, and by General Cañedo 276, making altogether 1311, to be added to the 1200 which I assumed to be the number previously in existence, and so increasing the number to 2511.

But from these 2511 have to be deducted, in the first place, the number of Emancipados who, as reported in various despatches from Her Majesty's Commissioners, within the same space of time, have been liberated, or have died. These consist of 440 given up by different Captains-General to the British Commission, and sent from this island to Jamaica, namely, 222 between November 1845 and January 1848, under General O'Donnell, 158 between April 1848 and November 1850, under Count Alcoy, 46 between November 1850 and February 1852, under General Concha, and 14 between May 1852 and April 1853, under General Cañedo, the last two of these 14 having been sent on the 13th of March last. These, it will be seen, make the sum of 440. In addition to these there are to be reckoned 33 made free by General O'Donnell in February, 1848, with permission to remain in this island, two made free with the same permission in February, 1850, by Count Alcoy, and two reported dead in January, 1850, having belonged to the 174 seized and declared Emancipados, as above-mentioned, by Count Alcoy, in 1849. These small additions, amounting to 37, have to be added to the 440 sent to Jamaica, making the sum of 477 to be deducted from the 2511 mentioned at the end of the last paragraph. This leaves 2034 supposed to be the number of Emancipados now existing in this island. But from this ought probably to be deducted a considerable unreported number of negroes who have died, or who have been liberated with permission to remain in this island.

The calculation I have made above gives as the total number of Emancipados supposed to have been in existence on the 21st of December, 1850, without taking into account any but positively reported deaths, precisely the number which Mr. Kennedy, in a despatch of that date (Papers presented to Parliament in 1851, Class A, p. 25), calculated there were about, at that time, of those who had been alienated for private advantage under Generals O'Donnell and Roncali (Count Alcoy), namely, about 1000 seized by the local authorities and perhaps about 200 left of those taken by British cruisers, and declared emancipated by the Mixed Court.

I made out there were at that time exactly 1200 in all. A reference to facts would make it appear not improbable that, at the time Mr. Kennedy wrote his despatch above-mentioned (December 21, 1850,) the list of Emancipados therein referred to, namely, those who had been alienated for private advantage

under Generals O'Donnell and Roncali, would have included all the Emancipados then in existence.

I have been for some time endeavouring to get such information respecting the rate of mortality among the Emancipados as I could think worth reporting. Such information is kept in the dark by persons interested; and the most widely different opinions seem to be entertained on the subject. I have good reason to hope that I shall very shortly obtain information on the matter worthy of some credit.

I have, &c.
(Signed) G. C. BACKHOUSE.

No. 33.

The Earl of Clarendon to Her Majesty's Commissary Judge.

Sir, *Foreign Office, December* 15, 1853.

I HAVE received your despatch of the 10th of November, reporting the information which you have obtained with regard to the number of the Emancipados in Cuba, who are entitled to claim their liberation, and I have to instruct you to bring this information before the new Captain-General, and to request that he will afford you his assistance by verifying the correctness of your calculation of the numbers of the Emancipados, and by carrying out the intentions of the Spanish Government as to the complete liberation of those persons.

I am, &c.
(Signed) CLARENDON.

No. 34.

Her Majesty's Commissary Judge to the Earl of Clarendon.—
(Received January 5, 1854.)

My Lord, *Havana, December 5,* 1853.

I HAVE the honour to report, that on the 2nd instant the Marquis de la Pezuela, the newly appointed Captain-General of this island, arrived in the Spanish Royal Mail Packet.

On the following day at noon, his Excellency made his formal entrance into this capital, and took the necessary oaths of office.

Yesterday I, in common with many other functionaries, including the British and French Consuls-General, the American Consul, &c., had the honour of paying our respects to his Excellency at the palace.

I have, &c.
(Signed) G. C. BACKHOUSE.

No. 35.

Her Majesty's Commissary Judge to the Earl of Clarendon.—
(Received February 3, 1854.)

My Lord, *Havana, December* 28, 1853.

WITH reference to your Lordship's despatch of the 10th of September last, I have the honour to transmit to your Lordship herewith the copy of the documents forming the proceedings in the case of the "*Arrogante Emilio*," together with an abstract of their principal contents.

I regret that the abstract is so long. I have endeavoured, in obedience to your Lordship's instructions, to make it short; and it appears to me as short as the voluminousness of the original mass of documents and the complication of the case would admit of its being.

I have, &c.
(Signed) G. C. BACKHOUSE.

Inclosure in No. 35.

Abstract of the principal contents of the Documents forming the Proceedings in the Mixed Court of Justice at the Havana in the case of the "Arrogante Emilio."

THE Spanish merchant brig "*Arrogante Emilio*," was seized by Captain Hamilton, commanding the "Vestal," on the 23rd of December, 1852, about five miles from the Morro, the entrance of the harbour of Havana, and in lat. 23° 16′ 30″ N., and long. 82° 22′ 45″ W. of Greenwich. He immediately brought her to the Havana, and on the same day informed the Spanish Judge of the Mixed Court that he had brought her in for adjudication, and made a similar communication to the Captain-General, with a request that his Excellency would take charge of the master and crew of the brig. This request met with an immediate refusal from the Captain-General; but after repeated applications from Captain Hamilton, the Captain-General consented, in consequence of the intervention of the Mixed Court, to take charge of the prisoners, which he did by placing, on the 2nd of January, 1853, a guard of six soldiers, under the command of a corporal, on board the brig, and consigning the prisoners to their custody in that vessel.

On the 27th of December, Captain Hamilton made his sworn declaration before the Mixed Court. He said he commanded the "Vestal," duly authorized to act under the Treaty of 1835, for the suppression of Slave Trade. He said that he had been informed, on the 2nd of December, that the "*Arrogante Emilio*" was about to sail for the coast of Africa under pretence of going to Buenos Ayres, an account of her having been sent to the Foreign Office, and that on the 23rd he saw her proceed to sea, and, after allowing her to get into the offing, he made sail after her, and that he went on board her, with Lieutenant Harvey, to search her, but, there being a strong breeze and heavy sea outside, he found it impossible then to search her effectually, but that he found sufficient fittings for a slave-deck to detain her; that on boarding her he asked the mate, who was on deck, where he was bound, and he answered, "coast of Africa;" whereupon the captain, who was below, tried to rush on deck in a furious rage with the mate, and telling him to hold his tongue. The captain showed Captain Hamilton letters and papers, tending to show that he was going to Buenos Ayres. Captain Hamilton then took the brig to Havana, and next day he continued the search. He found two four-pounders long guns and carriages, and coins for the same, round shot and grape in proper bags for loading, muskets and pistols, &c.; on lifting an immense quantity of stone ballast, he found underneath the beams and plank for a complete slave-deck. On examining the master's trunk, he found ingeniously contrived false sides to it, with a sliding frame to hold papers, and, concealed among his clothes, 419 ounces or doubloons, for which he (the captain or master) could produce no document or paper whatever,—no custom-house pass or manifest. Captain Hamilton put the ounces under the charge of the paymaster of the "Vestal," and gave the master of the brig a receipt for them. The master's track-chart was found with a track in pencil to the Bights of Benin. Captain Hamilton stated in his declaration that, during a long personal experience in capturing slave ships, and from official data on the subject, he found that the actual captain or pilot of such a vessel is ever a passenger, and that a trading slaver is never found without a passenger; and that it appeared that Don Manuel Diaz de los Santos, who was reported to be a passenger in the "*Arrogante Emilio*" on this occasion, was a noted slave-captain, who had made several successful trips to the coast of Africa. He said that this man, when first detained, declared he had never been at sea, but that he had since admitted he had been all his life at sea, and on the coast of Africa. Captain Hamilton declared, that the plank and beams found concealed in the hold required but a quarter of an hour to form a perfect slave-deck, as they were then on board. He made the required declaration as to the papers found on board and presented in Court, marked by him No. 1 to No. 6 inclusive, and which were thus described: No. 1, Ship's Roll; 2, Admiralty certificate for José Costas, as master or pilot of "*Arrogante Emilio*;" 3, Armament license; 4, Clean bill of health; 5, Certificate for Manuel Diaz de los Santos as a passenger; among these papers it may be observed that in the clean bill of health (No. 4), and in it alone, mention is made of Cape Verde Islands, which are therein mentioned as the vessel's destination; in Nos. 1 and 3, Buenos Ayres is mentioned as the port to which the "*Arrogante Emilio*" was bound, direct from the Havana; and in No. 3, attention is directed, moreover, to a penalty attached under the law to any arbitrary deviation, such as going to any port at pleasure but those to which the vessel was formally authorized to go. The arms and ammunition, &c., found on board appear to be all specified in No. 3, and the persons found on board, including the passenger, appear to be all properly accounted for, the crew consisting of eight persons, besides the master, mate, boatswain, and cook. No mention whatever is made in any of these papers of the money, plank, and beams, which were found on board.

On the 5th and 7th of January the depositions were taken of the master, mate, boatswain, and passenger of the brig, and were, according to custom, not given on oath. The substance of them was, that the brig was the property of Don José Joaquin Carrera, and commanded by Don José Costas; that about noon, on the 23rd December, 1852, she left Havana, and was proceeding with stone ballast to Cape Verde Islands, where she was to take in a cargo of salt, and that she was thence to proceed to Buenos Ayres for jerked beef. In less than an hour after the brig had left the harbour, and when she was about five miles north-east of it, the "Vestal" appeared very little distance astern, and hailed the brig. The answer from the brig, through a speaking-trumpet, was that they could not hear what was said owing to the wind; whereupon a musket was fired from the "Vestal," and the brig backed sail, and two large boats from the "Vestal" brought the captain, paymaster, and other officers on board the brig, and the master was immediately asked for his papers; whereupon he went down to his cabin, some of the officers following him; he showed them certain papers, of which the paymaster of the "Vestal" took possession, and they still asked him if he had more.

None of these deponents recollected having heard the mate tell Captain Hamilton, as Captain Hamilton had sworn he did, when the brig was first boarded, that the brig was going to the coast of Africa; and the mate himself denied that any conversation had passed between him and Captain Hamilton on that occasion.

While the master was below in the cabin, the command of the brig was taken by the English, who then prevented him from going up again on deck, and put him under arrest, and told him it was

on account of certain preparations they found in the vessel for Slave Trade. The master explained the object of his voyage to Cape Verde Islands and Buenos Ayres, and invited the English officers to search his vessel. All the persons that had been found in the brig, except the master, mate, and boatswain, were then taken on board the "Vestal." The master protested in presence of the mate and boatswain. Captain Hamilton having returned to his own ship, and left some of his officers and men in the brig, the two vessels returned to Havana. On entering the harbour, the master was forbidden to speak to the captain of the port, who came to make inquiries; and the master and mate were shortly after removed to the "Vestal," where they were at first kept below on the gun-deck amongst the marines and seamen, and had only the hard board to sleep on; the next day (December 24th) they were allowed to come up on deck, but for the first twenty-four hours, had no food. On the morning of the 24th December, all the prisoners' baggage was brought to the "Vestal," and the master's trunks and charts were taken to Captain Hamilton's cabin.

(The master and mate on being questioned in the course of their deposition, as to the pencil track found by Captain Hamilton on the master's track chart, to the Bight of Benin, said that it was the result of the observations taken at noon; the mate said it showed the direction of the vessel when observations were taken; and the master said that, if there was a track marked to the coast of Africa, it was on account of the course rendered necessary by the winds for going to South America.)

After the charts had been examined in Captain Hamilton's cabin, the master was asked for the keys of his trunks, and had to open his trunks in the cabin in the presence of the captain and several officers, and take out everything separately, which was examined. The carpenter then examined the empty trunks, and in doing so, bored holes in them. The clothes which had been taken out were then given back to the master to put back again into the trunks, and the trunks were kept, together with the papers and the 419 Mexican gold ounces. Captain Hamilton then gave a receipt in English for what he had taken, and took a receipt also from the master. All the rest of the prisoners underwent a similar search. In the afternoon of Monday, the 3rd of January, the prisoners were removed to the brig, where they found the English and Spanish Judges of the Mixed Court, Captain Hamilton, and a detachment of Spanish soldiers under the command of a corporal; the master then finding the hatches battened down, represented to the two Judges that the water and the greater part of the provisions were in the hold, whereupon the hatches were allowed to be opened, and the prisoners were then left in the brig in custody of the guard of soldiers, and "incommunicados" (not allowed to have communication with the shore). The master here describes his discovery of a great deal of damage having been done to the vessel and provisions in the searching of the vessel. He charges Captain Hamilton with having violated the law of nations, and insulted Spain. The boatswain, who had been on board the brig the whole time, is said to have remonstrated frequently on the damage he saw being done, and to have been told it was by orders from the "Vestal," and to have been frequently threatened, in consequence of his remonstrances, with irons and handcuffs, which threat the master insinuates was a breach of Article II of Annex A to the Treaty, as to the manner of conducting the search. A complaint is made that Captain Hamilton offered money and liberty to one of the crew to tell the truth as to the destination of the brig. Captain Hamilton is charged with having acted in disregard of Article IV of the Treaty in having at once, on boarding the brig, asked the master for his papers, instead of first showing his own authority to search; and of Article III of Annex A to the Treaty, in having afterwards neglected to leave on board the brig the proper number of persons belonging to her. The master declared that neither he nor the brig had ever been to Africa; and, referring to a second deck constructed by Captain Hamilton out of materials found in the brig, declared it was too weak for a slave-deck.

On being questioned by the Mixed Court as to the beams, plank, and boards found by Captain Hamilton underneath the stone-ballast, the master said he was not certain that there was any such thing, but referred for such particulars to the brig's log, from which, by permission of the Court, he gave a long extract as part of his deposition, and from which the greater part of the foregoing substance of the depositions is taken. The mate and boatswain represented the said beams, plank, and boards to have been taken out for the use of the vessel, part for protecting the intended cargo of jerked beef from damp, and part for forming a stage for loading and unloading cargo. The arms found on board were said to be no more than are usually taken by merchant-vessels on long voyages for protection against pirates, or for firing signals. The master identified the papers given in Court by Captain Hamilton as those which Captain Hamilton had taken from him, and given him a receipt for.

The passenger, Don Manuel Diáz de los Santos, said he was a native of Lisbon, and resident at Buenos Ayres; that he had been more than twenty years a merchant seaman, had never been to Africa, but had been to Brazil and other places—always as a mere seaman, being too ignorant for a higher position; not able to read or write. He accounted for Captain Hamilton thinking he had contradicted himself as to his having ever been to sea before, by saying that he could not speak Spanish well, nor Captain Hamilton understand his Spanish well. This man and the master both said he had, as a passenger, paid 40 dollars to go to Buenos Ayres, visiting Cape Verde Islands on the way. He said he knew nothing about materials for a slave deck underneath the stone-ballast; that the ballast was there before he embarked. He said he had been at the Havana about four months, and had arrived there in a United States brig, in which he had been engaged as a seaman, but that he did not know the name of that brig, nor of the master; that he was ill on his arrival at Havana; that he got no papers from the master of the American brig; but that he had obtained a passport from Buenos Ayres, when in hospital, through a man whom he did not know. He did not sign his deposition because he said he could not write.

Of the four deponents, the substance of whose depositions has just been given, and indeed, as subsequently appeared, of all the individuals found on board the brig, one only, Bernardo Martorell, the mate, acknowledged having formerly been to Africa.

To the extract from the log given by the master, as part of his deposition, were appended two protests, one dated January 2, and signed by the master, and by the mate for himself and boatswain, the other dated January 4, and signed by all belonging to the brig who could write,—the mate signing for those who could not. And the master added, that of the 419 ounces found in the brig, 19 were his own, and the remaining 400 belonged to Carrera (the owner of the brig).

Immediately on being informed of the capture of his vessel, on the day of her being brought in, Carrera, who styles himself "Comisiónado ordenador honorario de la Marina," began addressing memorials on the subject to the principal authorities at Havana, and endeavouring to prove his innocence

in a variety of ways, and requesting the assistance of the authorities to procure him compensation for the damage suffered by him. He protested against Captain Hamilton's proceedings; charged him with infraction of Article IV of the Treaty of 1835, in detaining the vessel, which he said contained none of the things mentioned in Article X, and with infraction of Article III of Annex A to the Treaty as to the individuals to be left on board a captured vessel; and he said the British Consul, if he suspected the vessel, ought to have denounced her before she left the harbour; and he complained of the prisoners having been kept the first twenty-four hours without food. With reference to this latter circumstance, it may be mentioned that Costas, the master of the brig, after the first few days of his detention in the "Vestal," assured Captain Hamilton, in writing, that it was a matter to be forgotten, and that the prisoners had had nothing of that sort to complain of since.

In the course of the proceedings Carrera procured the examination of several persons on oath, including all the individuals belonging to the brig, and the corporal and five of the privates under his command, composing the guard placed over the prisoners on board the brig by the Spanish authorities. From the evidence of the persons belonging to the brig, it appeared that in the instructions, written and verbal, which Costas, the master, had received from Carrera, not a word had been said about Africa; that the brig's provisions and crew were altogether insufficient for African Slave Trade, the individuals in all, including the master, who belonged to the brig, being 12 in number; that there were no chains on board, except those belonging to the anchors. There were certain gratings, according to the testimony of four of the crew, including the boatswain, to be found in the vessel, which the master and mate denied having seen. The mate denied that any search was made of the vessel when boarded, while the majority of the crew swore there was, some of them even describing how it was conducted. The evidence of all the soldiers agreed in the statement that they went on board the brig on the 2nd of January, and that the crew were not on board at that time; and the platform or second deck, which had been put together in the hold, was stated by the soldiers to have remained up to the time of their giving their evidence (February 3) in the same state as that in which they had found it (the corporal swearing simply that none of the crew after coming on board had ever attemped to alter it, and that no stroke of a hammer was ever heard about it); they all said that they (the guard) took up their quarters on the said platform, the corporal adding that there was always a soldier on guard there. Two of the soldiers said they saw the platform in the hold immediately on their arrival on board; but another said that he did not see it immediately on his arrival on board, and that the guard remained on deck till Captain Hamilton and some other English officers came on board, at the request of the master of the brig; and that the provisions and water being in the hold, the hatches were then opened, and he then for the first time saw the platform, when the guard immediately established themselves on it. This latter soldier's statement alone, it may be observed, is reconcilable with that made by the master of the brig, referring to the vessel's log, in his first deposition before the Court, which has been already given. It seems important to notice particularly the contradictory statements made on this point, because on alleged circumstances relating to it, Captain Hamilton, on the 3rd of January, founded a solemn protest, in which he stated, that after the brig had been on the previous day, without official notice, taken out of his hands by the Spanish soldiers, they (the soldiers) and the crew had broken open the hatches and gone below without any witnesses on the part of the Court or captors, and had continued going into the hold; to this protest Captain Hamilton appended another the next day, and the whole was attested by a large number of the officers of the "Vestal."

An examination of the second deck was made by the Court on the 12th of January. They found it to be nearly the size of the vessel, and put together without nails. (Carrera, however, a few days after, insinuated a fresh charge against Captain Hamilton, which remains unexplained, viz.:—that he had used in his operations regarding this second deck some large nails which were not previously on board the brig.) The prisoners on this day received permission to have communication with the shore, though still to be detained on board the brig.

On the 13th Captain Hamilton, who, with several of his officers, had been present at the examination made by the Court on the previous day, of the second deck, made a declaration, in which he was supported by Lieutenant Harvey, Mr. Harrington (midshipman), and the carpenter of the "Vestal," and in which he stated that the deck was laid by the said carpenter, and was composed of beams found concealed under the stone-ballast, and of boards and planks also found partly concealed in the brig; that it was laid by his orders, with a view to ascertain whether there was a sufficiency of the said beams, &c., for the purpose, and that he then ascertained that there was neither more nor less.

On the same day (the 13th) Captain Hamilton proposed another examination, which was to be made by a commission consisting of impartial, competent and intelligent persons, who should report whether the beams and plank put together in the brig would, in their opinion, and according to their experience, be sufficient for carrying slaves from the coast of Africa. Captain Hamilton suggested that the officer commanding the French vessels of war then in Havana harbour should be asked to appoint some of the French officers under his command to form part of this commission. The captain of the "Oreste," the French officer commanding on the station, refused, saying that he did not consider himself authorized by his instructions to interfere in a matter regarded in such opposite points of view by two Powers at amity with France.

The Captain-General, on the 13th of January, sent a request to the Mixed Court that they would furnish him with a certificate as to whether Captain Hamilton, when he made the seizure, was duly authorized to do so, and whether he complied with certain rules for his conduct contained in Article III of Annex A to the Treaty. To this the Court replied, on the 18th, that they would inform him when the trial was completed.

Captain Hamilton's suggestion having failed, as above stated, respecting a commission he proposed for making a second examination of the second deck he had constructed, a commission composed of three masters of merchant vessels, English, French, and Spanish, an English merchant-ship's carpenter, and a "Maestro Mayor de Carpinteros" of the Royal Arsenal at Havana, was appointed and on the 22nd of January these persons made their examination and report on oath. Captain Hamilton and M. Carrera were both present at the examination of the vessel. The two Spaniards and the Frenchman stated that, with the materials found on board, and after restoring to their places those which appeared to have belonged to parts of the vessel, a slave-deck could not, in their opinion, be formed, and that which had been constructed did not occupy two-thirds of the vessel, and was not capable of bearing many slaves. The two Englishmen said there was sufficient material to form two-

thirds of an entire slave-deck, and that although some of the beams were short, a carpenter could easily remedy that, and give the deck strength enough for a great number of slaves.

Captain Hamilton wrote on the same day to the Mixed Court, said that he had been present at the above-mentioned examination, and entered his protest to the incomplete evidence furnished by the deck as it then was. He alluded to his suspicions, which had been hinted at in his protest of the 3rd and 4th of January, as to the corrupt intention of the authorities in giving up the brig to the master and crew before any examination of her had been ordered by the Court, and before any evidence was taken. He affirmed that a considerable portion of the slave-deck had been removed, and the rest artfully altered and disguised, it having been, when the brig was taken out of his possession, complete fore and aft, and much more perfect than any previously seen by his officers. M. Carrera, in a memorial received by the Court a few days after, denied that Captain Hamilton had any foundation for his protests, and said that he had, in acting as accuser of the captured party in Court, exceeded his duty as laid down in Article III of Annex A to the Treaty. And the Court shortly afterwards drew up a memorandum stating that the brig was taken charge of by the Spanish authorities, at Captain Hamilton's request, made to the Court on the 31st of December, and that his protests were at variance with that request. The Secretary to the Court certified also that the Court had had the option of having the prisoners kept in the brig, or having them kept on shore, and that the Court had adopted the former course, placing them in the custody of a guard of soldiers.

M. Carrera presented in Court, on the 22nd of January, three papers, which, with many others, he said Captain Hamilton had seen and rejected when taking possession of those which he presented in Court as the papers seized in the vessel. Costas, master, on the 4th of February swore to their identity. These three papers purported to be a letter from Carrera to his mercantile correspondents at Buenos Ayres—a letter of instructions from him, directing Costas to call at Cape Verde Islands for salt on his way to Buenos Ayres, and a memorandum of instructions—all three dated December 22. A book was produced in Court as one in which Carrera kept copies of the letters he wrote; this book was found to contain copies of the two letters, and particular attention was invited by Carrera's legal adviser, Don Juan José Romay, to the state in which the book was, and to the fact of its containing a copy of one letter, dated December 23, following the other letters.

The defence, which consisted in a great measure of accusations against Captain Hamilton, did not contain, substantially, much beyond what has already been set forth—such as allusion to the British Consul's omitting to denounce the vessel he suspected; Captain Hamilton's alleged refusal to take the three papers which had, during the latter part of the proceedings, been brought before the Court. The old assertion that the vessel contained nothing specified in Article X of the Treaty was repeated, and followed by a remark that, if Captain Hamilton detained the brig on account of fittings found on board for a slave-deck, there was no need to search her afterwards. The concealment of the money was said to be nothing extraordinary; and then it was asserted that money was not used for buying negroes. The passenger's ignorance was set up in opposition to the idea of his being a noted successful slave captain. With reference to the declaration that the plank and beams required but a quarter of an hour to form a perfect slave-deck, Captain Hamilton is flatly accused of perjury.

Several instances of infraction of the Treaty are alleged against Captain Hamilton. In the first place, he is accused of infraction of the 3rd Rule of Article IV of the Treaty, both in that part by which he was required to exhibit to the commander of the merchant vessel the document by which he is duly authorised to search, and also in that part which orders that the vessel is to be allowed to pursue her voyage, if it appears that the papers of the vessel are in regular order, and that the vessel is employed in illicit objects, which it is alleged would have at once appeared from the papers already referred to, which Captain Hamilton is said to have neglected to examine.

In the second place, Captain Hamilton is accused of infraction of Article I of Annex A, in having, it is here asserted, neglected to bring the vessel before the Mixed Court till 10 or 11 days after her arrival at the Havana.

In the third place, he is accused of infraction of Article 2 of Annex A by his conduct, and the conduct of those under him, on the occasion of the seizure.

In the fourth place, he is accused of infraction of Article III of Annex A, which requires that the commander of the ship who may detain a merchant vessel under the Treaty, "shall leave on board the vessel so detained, the master, mate, and boatswain, and two or three, at least, of the crew thereof." Captain Hamilton, it is said, removed to his own ship all the persons belonging to the brig, with the exception of the master, mate, and boatswain, and subsequently left none but the boatswain.

After this, Vattel is referred to as having laid it down that the violation of a Treaty in one single Article may produce the breaking of all the Articles; and that all the Articles of a Treaty have a force resting on a condition, the failure of which renders it (the Treaty) null.

Then follow some remarks on the prisoners having been left 24 hours without food.

On the subject of the slave-deck, formed by Captain Hamilton out of materials found in the brig, reference is made to statements already made on the part of the defence.

Captain Hamilton is then charged with having appeared, in the course of the proceedings, as accuser, especially with reference to his endeavour to procure a Commission composed of French officers, and with having thereby exceeded his duty as laid down in Article III of Annex A; and reference is made to the "Real Order" of October 27, 1848, forbidding English functionaries to constitute themselves prosecutors ("perseguidores de los delincuentes y fiscale") in such matters.

A remark is referred to which is said by Carrera to have been made on board the brig, in his presence, and in that of Captain Hamilton, by the English merchant captain, who was a member of the Commission that examined the brig on the 22nd of January, and who is said by Carrera to have remarked that the planks used in constructing the second deck had evidently been very much used, and that the large pieces of timber also employed in the said construction were such as served to form the stage for loading and unloading the cargo.

In conclusion, 20,000 dollars were asked for as compensation to Carrera, in addition to demurrage, as provided for in Article VII of Annex B; all the costs of the trial to be allowed, and the brig to be towed by the "Vestal" to the place where she was originally detained, and the act to be accompanied by certain circumstances which should leave beyond doubt the reparation of the offence alleged to have been committed by Captain Hamilton against the Spanish flag. It was also requested that two copies

of the whole proceedings should be made, and one sent to Her Britannic Majesty and the other to Her Catholic Majesty, with a view to the carrying out of the provisions of Article IX of the Treaty.

On the 28th of February the Court met to discuss the case with a view to delivering sentence. The two Judges did not agree, and it was arranged that each should draw up a statement of his own opinion. This was done on the 1st of March.

The British Acting Judge remarked, in delivering his opinion, that the papers found in the vessel were regular, but were not enough, there being no Custom House register, license, or clearance, either for the beams and plank, or for the 419 Mexican ounces in gold (equivalent to 6,704 dollars), which he said there must have been, had there not been some fraud, which must have been for a sinister purpose.

After alluding to the several points in favour of the defence, he said the question was whether the beams and plank were or were not a second deck for slaves.

He alluded to the difficulty of this case, arising from the master and crew having been put on board their own vessel, instead of being sent to a proper place of custody, and remarks on the conduct of the Captain-General in this matter as contrary to usual practice, and to the express wish of the captor, the consequence being the complaint of the captor that everything had been changed in the brig, and the denial of that by the prisoners. He referred to Captain Hamilton's solemn declaration of January 13, as to the exact sufficiency (neither more nor less) of materials for the slave-deck, which was complete on the 3rd of January, when the master and crew returned on board; and to his declaration as to removals and alterations in that deck previous to the examination of it on the 22nd of January, and to the contradiction of this declaration by the prisoners and guard, the evidence from the latter of whom he said it was impossible to admit, since it was notorious that their custody of the master and crew of the brig was a mere farce. He then mentioned a circumstance which had not previously appeared in the proceedings, namely, that it was well known that the master left the vessel whenever he pleased, having been seen on shore repeatedly by more than one person when he ought to have been a prisoner in the custody of the guard on board. The guard therefore, he assumed, were corrupted, while the master, and crew too, he supposed, did as they pleased on board.

He spoke from his own personal observation as to the completeness fore and aft of the deck as it was on the 2nd of January, just before the people of the "*Arrogante Emilio*" were sent on board prisoners; and, as to its alteration and incompleteness on the 12th of January, when the Court visited and inspected the vessel; for which reason he said he attached no importance to the subsequent examination and reports.

It was proved, therefore, he says, that the "*Arrogante Emilio*" had on board the materials for a slave deck, which forms *primâ facie* evidence against her. She was despatched, he says, for Buenos Ayres, without anything being stated upon the roll as to the deviation declared to by the master and crew, to Cape Verde Islands, from which islands a track chart found by the captors showed a pencil track to the Bights of Benin. As for insufficiency of provisions for a vessel engaged in Slave Trade, it was, he said, well known that slave vessels went to certain places, previously arranged, to complete their equipment; and that, for these reasons, he was of opinion that the brig should be condemned, and declared a good prize.

The Spanish Judge's opinion was, that the papers of the vessel were complete and regular, and that there was nothing on board specified in Article X, as evidence against a vessel. The detention, he said, was founded on the existence of the timber underneath the ballast, which, he said, was not seen or known of till next day. The captor, he said, infringed all the provisions of the 3rd rule of Article IV, and neglected Article II of Annex A, and Article III of the same Annex. He concluded by pronouncing the capture illegal in every respect, and by giving his opinion that Captain Hamilton should be condemned to pay demurrage, compensation for losses and damages, and costs of proceedings, and of two copies of those proceedings to be sent to the two Governments.

On the same day (March 1) the Court decided on referring to arbitration; it was agreed there was no English Arbitrator, and that, without drawing lots, the Spanish Arbitrator must be called in. The Spanish Arbitrator (Brigadier Yllas) was ill in bed, and begged to be excused. On the 4th of March, the Court requested the Captain-General to arbitrate, referring to the 3rd paragraph of Article IX of Annex B to the Treaty. On the following day, the Captain-General sent his refusal, and pointed out the "Regente" of the "Real Audiencia Pretorial," as the next person to apply to, according to that part of the Treaty referred to by the Court. The Regente accepted the office, and on the 21st of March delivered his opinion. It consisted chiefly in censure of Captain Hamilton. He remarked, that the conduct of the "Oficina Inglesa,"—by which appellation, it appears, he meant the British Consulate,—in omitting to denounce the brig, if suspected, before she sailed, was in opposition to the spirit of the Treaty, which essentially involves unity of action of the two Governments combined for one object. He said, Captain Hamilton failed to observe Article 2 of Annex A, in firing when approaching the brig, and infringed the same Article in his conduct when on board the vessel. Arguing from the omission of all mention of the matter in the declaration, he says, that Captain Hamilton failed to observe the 3rd rule of Article IV of the Treaty, requiring him, when he had boarded, to show his authority to search, and to give a certificate of his rank in the navy, of the name of his ship, and of the object of his search. He renewed the old charges against Captain Hamilton of infraction of Article III of Annex A. He does not admit the heavy sea as any excuse for not searching the vessel out at sea, because, he says, if the search brings to light no *primâ facie* evidence against the vessel, she is to be allowed to continue her voyage, from which he infers that the search ought to be made immediately on her detention. He said that Annex A, moreover, presupposed the search of detained vessels to be made in the presence of the masters, mates, and crews; and he remarked on Captain Hamilton's having deviated from that course. With respect to the second deck, constructed by Captain Hamilton, the Arbitrator said, he considered a greater fault to have been committed in the construction of it; he refers to Article III of Annex A, under which he asserts, Captain Hamilton's conduct in this matter was quite irregular with regard to the state in which he found the vessel; the Court, however, he observed, had given a sort of sanction to this proceeding of Captain Hamilton's, by the examination made by it on the 12th of January. He admits, as worthy of some consideration, the charges against Captain Hamilton, of having used portions of the vessel to construct the said deck; and also the evidence as to the defects in the deck, and blames Captain Hamilton for the secrecy with which he constructed it.

With reference to Captain Hamilton's protests, containing charges against the crew of the "*Emilio*"

and the guard of soldiers, he reviews what had previously passed; he says, Captain Hamilton, on entering the harbour, December 23, addressed two communications, one imperfect, to the Mixed Court; the other, impertinent, to the Captain-General; that he simply announced to the Mixed Court his having brought the vessel in for adjudication under the Treaty, without either placing the vessel, master, and crew at the disposal of the Court, or giving in a declaration as to the state in which he found the vessel, as required, he says, by Article III of Annex A; and that, in his communication to the Captain-General, he made the same simple announcement, and asked his Excellency to take charge of the master and crew of the "*Arrogante Emilio.*" He then refers to the subsequent communications between Captain Hamilton, and the Captain-General, and the Mixed Court, concluding with Captain Hamilton's protest of January 22, and animadverts with severity on Captain Hamilton's conduct and language throughout.

After denouncing as irregular Captain Hamilton's conduct in first applying to the Captain-General, and only after a certain lapse of time applying to the Mixed Court, the Arbitrator imputes a certain motive against Captain Hamilton; he says, Captain Hamilton delayed acting in the manner prescribed in Article III of Annex A, in order to give time to construct the second deck without witnesses. He said, the Treaty authorized the captors to take care of the captured vessels, and that the Mixed Court placed the guard on board the brig to disembarrass Captain Hamilton, who was at liberty to leave an officer of his own on board. He then remarks on the British Judge's assertion as to an alteration having been made in the deck in question, between the 2nd and 12th of January. Why, he asks, did not the British Judge, on the last-mentioned day, when he was on board as a member of the Court, examining the vessel, and why did not Captain Hamilton, who was present on the occasion, and his officers, also present protest at once? He then says, the British Judge's assertion that the master of the "*Emilio*" had been seen on shore when he ought to have been on board in custody of the guard of soldiers was a mistake, and that even were it not, the corruption of the guard for the purpose of the alteration of the deck did not necessarily follow. The Arbitrator said that, in his opinion, the protest of Captain Hamilton ought not to have been admitted by the Court, to be annexed to the proceedings in this case. That, in his opinion, Captain Hamilton ought to bear all the weight and responsibility of damages, according to Article V of Annex B. Having thus, at great length, dwelt exclusively on one side of the question, insisting that the brig had really nothing in her constituting, according to Article X of the Treaty, *primâ facie* evidence against her, he admits that the spare timber, being, as it was, without any Custom House document, did afford certain appearances of coming under the 3rd section of Article X of the Treaty, and that, therefore, the detention of the brig could not, in his opinion, be styled altogether illegal and arbitrary; and that, for want of proper precautions, the owner, master, and crew are by no means entitled to damages; but he considered that the vessel had been shown to be on a lawful voyage to Buenos Ayres for jerked beef, calling on her way at Cape Verde for salt. He, therefore, gave it as his opinion that the detention of the brig was legal and regular, on account of the timber found underneath the ballast; but that, in consideration of the explanations that had since been offered, she could not be declared good prize; that she ought to be immediately restored to her owner, Carrera, and that compensation proportionate to the demurrage suffered since the 23rd of December, should be allowed him, both according to Article XI of the Treaty and according to the Schedule in Article VII of Annex B; that the master, mate, boatswain, passenger, and crew, should be set at liberty; that the costs should be paid out of the Prize Fund; two copies being made of the proceedings for the two Governments, the Court reserving to itself to request advice as to how to deal in future with such exceptional cases as that of the "*Arrogante Emilio.*"

It was then observed by the British Acting Judge, that by the term "English Officer" ("Oficina Inglesa") the Arbitrator appeared to mean the British Consulate, in which meaning he appeared to be borne out by the manner in which Captain Hamilton's declaration had been translated by a Government interpreter ("Foreign Office" having been rendered into Spanish "Oficina Estrangera"). This mistake was afterwards corrected, "Foreign Office" being rendered into Spanish "Despacho de Negocios Estrangeros."

On the same day on which the Arbitrator's opinion was given in Court (March 21st), the final sentence was drawn up.

The sentence was that the detention was legal, but that the vessel should be liberated, and restored, in the state in which she was first found, to the master, who, with the passenger and crew, was to be set at liberty; the papers and documents delivered into Court to be restored also, certified copies being substituted for them in the proceedings; the 419 Mexican doubloons to be delivered to Carrera, the owner; demurrage to be paid out of the Prize-Fund, according to the Schedule in Article VII of Annex B, and no other indemnification to be allowed; expenses of the Court, however, to be paid first out of the same fund, and not to include those on Carrera's own account, for which he was pronounced responsible. These proceedings not to be considered to prejudice the fair fame and reputation of Carrera, or of any of the other persons concerned. Two copies of the proceedings to be made, one to be sent to each of the two Governments.

No. 36.

Her Majesty's Commissary Judge to the Earl of Clarendon.—
(*Received February 3.*)

My Lord, *Havana, January 2, 1854.*

I HAVE the honour to state to your Lordship that no case has been adjudicated by the Mixed Court of Justice at the Havana during the past half-year.

I have, &c.
(Signed) G. C. BACKHOUSE.

No. 37.

Her Majesty's Commissary Judge to the Earl of Clarendon.—
(Received February 3.)

My Lord, *Havana, January 2, 1854.*

I HAVE the honour to inclose a return of the emancipated Africans who have been removed hence to Jamaica during the past year, consisting of one man, one woman, and four children, total 6; making, with the numbers previously reported, 404 men, 195 women, 147 children; gross total, 746.

I have, &c.
(Signed) G. C. BACKHOUSE.

Inclosure in No. 37.

RETURN of Emancipados sent from Havana to Jamaica, in the Year 1853.

Date.	Men.	Women.	Children.	Expenses incurred as per Bill drawn.
				£ s. d.
March 13	1	1	4	March 31 .. 28 9 3

Havana, December 31, 1853. (Signed) G. C. BACKHOUSE.

No. 38.

Her Majesty's Commissary Judge to the Earl of Clarendon.
(Received February 3.)

My Lord, *Havana, January 2, 1854.*

I HAVE the honour to make my annual Report on the state of the Slave Trade in this island, and on matters bearing more or less on the carrying out of the provisions of the Treaty of 1835.

From the inclosed lists of departures and arrivals of vessels reported as engaged in Slave Trade, and a comparison of them with similar lists sent during the last few years, it would appear that the trade has latterly been very much on the increase.

In the inclosed list of arrivals during the past year, the number of slaves landed in Cuba during that time will be seen, according to the account therein given, to be most probably very much understated at 9,383. On comparison, however, of that number with the number reported for the preceding year (which it exceeds by considerably more than one-third), and with the list at page 198 of Slave Trade Papers presented to Parliament in 1853, Class B, it will be found to exceed the number introduced in any one of the preceding eleven years, except the year 1844, for which year the number given in the Parliamentary Papers above referred to is 10,000. But in those Parliamentary Papers the numbers appear to include the addition of one-third to the number originally reported, to make up for those slaves respecting the landing of whom intelligence had not been procured; and by the same process in the present instance the number of slaves introduced into this island during the year 1853 may be reckoned at about 12,500, a number beyond that of any of those preceding years above referred to. At the same time, when due allowance is made for the much greater difficulty of detecting with certainty the real employment of vessels leaving this island than of those which arrive with slaves, partly from the much greater occasion for secresy in the former case, it appears that there has been considerable activity lately in the fitting out of fresh expeditions. The only

capture which was effected by a British cruizer during the past year was that of the "*Casualidad*," which it is probable was intended eventually to proceed to Africa. She was detained in April last by Her Majesty's steamer "Buzzard," and afterwards, notwithstanding some very suspicious appearances in her, released by the Mixed Court, the Spanish Arbitrator having been called in. This vessel, the "*Casualidad*," was immediately recognized, when brought to the Havana, as an old and very notorious slaver, known as the "*Cora*" (see Slave Trade Papers presented to Parliament in 1853, Class B, p. 462). She had made repeated expeditions which had been successful in spite of denouncements. On the occasion of her capture and trial before the Mixed Court under her new name, she was represented to be a coaster, and that plea formed part of her defence; such a plea, however, had been made use of on behalf of the "*Venus*," which had been condemned a short time previously; and the object of such a plea appears, as shown in my despatch of the 9th July last, to have been to take advantage of certain immunities which it is pretended here belong to coasting vessels, but which the Mixed Court ought not, in my opinion, to recognise.

The Marquis de la Pezuela, the new Captain-General, has already manifested a sincere desire to suppress the Slave Trade, and to improve the condition and prospects of the Emancipados. I have the honour to transmit herewith, for your Lordship's information, copies and translations of certain orders and regulations which have recently been published by his Excellency's direction in the official paper, the "Gaceta de la Habana," on the days respectively on which they are dated.

The first of these documents, which is dated the 20th of December, appears to be of very little importance. It is a proclamation issued avowedly for the purpose of celebrating the birthday of the heiress-apparent to the Spanish throne, relates solely to the Emancipados under the Treaty of 1817, and has been followed by an order published on the 1st instant, containing regulations whose application extends to all Emancipados both under the Treaty of 1817 and under that of 1835.

The second document, which was published on the 23rd ultimo, begins with a circular addressed to the Governors and Lieutenant-Governors of this island, plainly declaring the Captain-General's intention to punish all persons engaged in the Slave Trade, and any of the local authorities throughout the island who may connive at it; and proposing to supply hands for labour by means of the introduction of paid emigrants, under a new set of regulations, which he orders to be circulated as much as possible. In February, 1842, a contract was agreed by the "Real Junta de Fomento" to be entered into with an English mercantile firm at the Havana, Messrs. Wardrop and Co., for the importation of 8,000 Chinese labourers, to be paid 4 dollars a month. The number was afterwards limited by the Captain-General to 3,000; and a similar contract was entered into with a Spaniard of this place, of the name of Pereda. An objection has been raised against these Chinese importations, on the ground of the length of time it takes to bring them, about a year being said to elapse between the fitting out here of a ship for them and their arrival at Havana. The first arrival here under the arrangement of 1842 took place last year; and in the course of last year 4,000 Chinese arrived, 2,200 brought by the English firm, and 1,800 by M. Pereda. The undertaking does not seem to have turned out well; and I am informed by the English firm that they do not intend to have anything more to do with Chinese importations. The new orders relating to such immigrants annuls, it will be seen, all previous engagements on the subject.

In the document dated the 1st January benefit to the Emancipados appears to have been deeply studied; but, fair as it is that persons who are now to be deprived of the services of certain Emancipados to which they were entitled by a purchased agreement with the authorities should be reimbursed, it seems to me hardly fair that the reimbursement should be made out of the wages which masters may agree to pay to those Emancipados whom they hire.

I have to observe that in none of these papers is any allusion made to the promise given by the Spanish Government on the 15th of March last. That promise has not, as to time, been strictly fulfilled.

I have, &c.

(Signed) G. C. BACKHOUSE.

Inclosure 1 in No. 38.

List of Vessels reported to have sailed in 1852 *for Slave Trade.*

1852.

Spanish brig "*Imperatriz*," and two others. Seized by the Governor upon Mr. Crawford's denouncement.

July.—Spanish brigantine "*Cora*," from Cayo Frances.
Two large brigs from Matanzas.
From Bahia, Honda, "*Lady Suffolk*."

From Havana, "*Cuatro Hermanos*."
From Martanzas, "*Carlota*."
From Havana, "*Venus*."
From Havana, "*Arrogante Emilio*,"

} Captured by Her Majesty's ship "Vestal," and under adjudication before the Mixed Court at the close of the year.

Inclosure 2 in No. 38.

List of Vessels reported to have sailed in 1853 *for Slave Trade.*

1853.

July 11.—American brig "*General Pierce*," having arrived at Havana from Santiago de Cuba, and having been denounced by Her Majesty's Consul at the latter port, sailed in ballast for Pensacola, and afterwards went to the coast of Africa.

November 9.—From Santa Cruz, a vessel which had been a brig under Venezuelan colours, called "*Cotorra*," and changed her rig to schooner before leaving Santa Cruz for Africa.

Inclosure 3 in No. 38.

List of Vessels reported to have arrived in 1853 *with Slaves in the Island of Cuba.*

1853.

Jauuary	8.—Landed near Cabañas, and taken to the estate called "San Ignacio" ..	600
March	8.—By a vessel which was stranded at El Medano, supposed Portuguese ..	500
„	23.—By a ship which was burnt at Cayo Piedras, near Cabañas. Capo's Expedition, 1100 to 1200	1150
June	1.—At San Juan de los Remedios, ship supposed to have been the "*Jasper*," burnt afterwards	680
„	2.—At Bailen or Ensenada de Cortes, ship grounded and set fire to. The burnt hull was left on the shoal called Viril. Afterwards ascertained to have been the "*Jasper*"	280
„	5.—The Captain-General, in an answer to Mr. Crawford of this date, denied that 1200 slaves had been landed at Mariel, or to the westward of that place, but said a brigantine had been found deserted in those waters. Mr. Crawford afterwards ascertained that she had landed	300
„	15.—At Cienega Zapato or Cochinos, the "*Lady Suffolk*," alias "*Eclipse*" ..	1283
„	15.—At some other place in the same jurisdiction of Cienfuegos, by a vessel, name unknown	640
„	30.—At the Isle of Pines, vessel supposed Brazilian (stranded)	600
September	9.—At San Juan de los Remedios	360
„	—At anchorage of Yagujay, from Spanish schooner "*Nueva Empresa*," afterwards burnt at Esenada de Cortes	400
October	6.—Somewhere on the south side of the island, reported to have been Esenada de Broa	600
„	—At Esenada del Carmelo	260
„	—At Esenada de Cortes, from a schooner afterwards burnt	180
November	9.—On the north coast, to the east of Cardenas, 600 to 700	650
December	5.—At Ensenada de los Cochinos, a cargo consisting of upwards of	300
„	5.—At some place on the north coast, to the west of Havana, number of slaves landed not ascertained.	
„	7.—Reported by Her Majesty's Consul at Santiago de Cuba to have been landed near Cienfuegos from a vessel commanded by Don Jacmi Pol. and afterwards destroyed, a cargo consisting of about	500
	Total slaves ..	9383

Inclosure 4 in No. 38.

(Translation.) *Political Secretary's Office, Havana, December* 20, 1853.

HIS Excellency the Governor Captain-General has been pleased to decree the publication, through the medium of the Official Gazette of the Government, for general information, the following order on the manumission of Emancipados, which, under the present date, he directs to his Excellency the President of the said Department.

Most Excellent Sir,

In fulfilment of the Sovereign will and pleasure of Her Majesty, and on account of the solemnity of this auspicious day which commemorates the birth of the august heiress-apparent to the throne of St. Ferdinand, I have decreed the declaration of the liberty of the negroes Emancipados of the oldest standing who are in the depository, and result from the different captures made down to the year 1835. But, as the bad use which the greater part of them, from want of intelligence, might make of their liberty, might oblige the Government to restrict it in another way, by confining with one hand as vagrants in houses of correction, those whom with the other it liberated through generous and Christian motives of charity and philanthropy, I have resolved, in order that this concession may be fully made with due order and arrangement, and without injury to interests of any kind (without prejudice to the continuance of deliberation on doubtful cases which may come before that honourable Commission), to lay down for the present the following rules which may serve for a basis for such cases as may for the future present themselves. The Emancipado declared free is, whilst he remains in this island, under the protection and guardianship of the paternal authority of the Government, on whose permission he has to depend for his establishment and abode. He will be at liberty to continue serving the master to whom he is at present subject, or to change masters if another presents himself who may suit him better, and this man shall maintain him and pay him wages, which shall not be less than six dollars a month for males and four for females, this contract to be made for fixed periods of only one year, which may go on being renewed at the will of both parties under the cognizance and superintendence of the authorities. Masters who may be entitled to the service of negroes who have been assigned to them, shall receive indemnity from the said Commission, which shall be careful under my direction to afford it immediately. For this purpose, and for the maintaining of the "Fondo de Emancipados," each free individual amongst them shall leave in deposit that part of his daily wages which the Commission may think absolutely necessary for the attainment of this object, and for the other charges to which it is liable, the money retained never exceeding one-third of the established wages. The punishment which the masters of these free Emancipados shall be empowered to inflict on them, shall be no other than those established by the regulations for free labourers who are occupied in the labours of the country. I entertain the hope that the Commission, aided in all it may require by the Department of the Government Secretary, will carry out most scrupulously the arrangements herein contained, thus affording new evidence of the zeal which distinguishes its members in the service of their Queen and of their country.

God preserve, &c.

(Signed) THE MARQUES DE LA PEZUELA.

Inclosure 5 in No. 38.

Circular issued by the Captain-General, relative to Slave Trade, and Regulations relative to Importation of Colonists.

Political Secretary's Office, Havana, December 23, 1853.

AS at the passing of command from one person in authority to another, who is always surrounded with an increased number of accumulated obligations, the persons who without ceasing are occupied in the prohibited trade in slaves brought from Africa are in the habit of availing themselves of the circumstance of entire perplexity and doubt of the subordinate authorities as to the course of greater or less suppression the new supreme authority will adopt, it is my duty to address myself to you at once, in order to inform you, that although I cannot but bear in recollection, for their observance, the laws which protect the private rights of country possessions, I will be at the same time inflexible, and will pursue with the rigour of the law, and with my own authority as Governor, as far as it may go, every employé of whatever class he may be, who may tolerate, consent, or contribute directly or indirectly to any unlawful introduction in the said trade, either by neglect of his duties, wilful intention or corruption—of which the careless employé is often too easily accused, even by the very person who does not disdain to avail himself of such disgraceful means—forgetting that there would be no person seduced, did not seducers abound. At the same time, I warn you that with the sole exception abovementioned, I preserve in all their force and vigour, and charge you under the strictest responsibility to observe all the other instructions which my worthy predecessors have given you for the punctual and exact compliance with the engagements contracted by Spain by the Treaties of the 23rd of September, 1817, and 28th of June, 1835, relating to the abolition of the said Trade, and to the observance of the spirit and letter of the Penal Law of the 4th of March, 1845, guaranteeing the same.

But, as on these extensive coasts so much difficulty attends the total extinction of a trade which fosters the desire of gain in many,—for strong and vigorous as may be the coercive means which the

authority may put in action, as is shown by the inefficiency of those employed by our faithful and powerful ally, with her numerous and vigilant cruizers, and by us, in the prosecution which (more or less active, but always incessant, notwithstanding what calumny may say) has been carried on with the said object, as the estates in the country experience daily, on account of the recent mortality amongst the slaves, and on account of their increasing development, a greater want of hands to apply to the purposes of cultivation and industry, it is indispensable to go on substituting for that which up to the present has exclusively existed, other labour which may calm the stimulants to exclusive gain, and lead individual interests in the direction of the benevolent intentions of our Queen, and the sacred compliance with the obligations entered into.

It is not necessary to say to you that I speak of the introduction of free labourers, Indians, Asiatics, or Spaniards; but at the same time, it is the will of the Government to encourage, without any exclusive privilege, all private enterprize and contracts that may be effected under the safe guardianship of the Government, and protected by the appended code of regulations which shall be remembered as a stimulus to proceeding with security and success.

In consequence thereof, you will give publicity and the greatest possible circulation to this arrangement, and to the said code of regulations—the sole one to be observed in future, annulling those which have existed up to this date.

God protect, &c.

(Signed) EL MARQUES DE LA PEZUELA.

General Order which is established to be observed by the colonists imported for the purposes of the sugar estates and country farms, and by those who enter into contracts with same, by order of the Captain-General, Governor-Superintendent of the Island of Cuba, with assent from the Real Audiencia.

CHAPTER I.

Of the Introduction of the Colonists.

ARTICLE I.

From this day forth, for the term of two years is free the introduction of colonists, Spanish, Indian, Yucatan, and from the empire of China, engaging for such length of time as may suit the parties concerned, subjecting themselves to the conditions laid down in this order.

ARTICLE II.

The contracts which the importers have to enter into with the colonists of both sexes in their country must be written in the presence of a competent authority, and *viséd* by the Consul of Her Majesty, where there may be one. In case the colonists should be under fourteen years of age, the person on whom they are dependent should be a party to their contract.

ARTICLE III.

The importers are obliged to introduce women in proportion of one-fourth to the men, and in order to facilitate the same, the Government exempts, as respects the women, the tonnage duty to which the vessels bringing them may be liable.

ARTICLE IV.

In the contracts which may be entered into with the colonists in their own country shall be expressed: 1st, the term of the contract's duration; 2nd, the wages; 3rd, the quantity, nature, and quality of their food; 4th, clothing; 5th, medical attendance during their sickness and convalescence; 6th, cessation of their wages when they do not labour, whether on account of sickness which may not be occasioned by labour, or from any other cause independent of the will of the employer; 7th, number of hours of labour daily; 8th, power on the part of the employer to divide the hours so as best to suit his interests, but with the condition of his not insisting at any time on more than fifteen hours daily; 9th, obligation on the part of the colonists to make good to the employers the working hours lost for which they are blameable; 10th, strict obedience to the discipline of the estate, workshops, or establishments in which they may labour. Likewise is to be mentioned the age, sex, and town of which the colonists may be natives; and the importers, or their agents, shall take measures at the time of making the contracts, that the colonists be well informed of the obligations which they contract, and shall make them understand that although the wages in this island be higher than those for which they stipulate with them, their passage, however, is paid for them, and the employers run risks, on a due estimation of which, notwithstanding the low price, the contract is not advantageous for them; all this with the view, that when they may arrive in this country, they may not complain of their low wages, and that such complaints may not originate dissatisfaction which is consequent thereon.

ARTICLE V.

The person who may wish to import colonists into this island, shall previously solicit permission from the Government to do so, conforming with the following conditions: 1st, a certificate or document which may attest that the vessel in which he is about to bring them is in proper condition; 2nd, not to

embark more than four persons per ton, the crew included; 3rd, a supply of water and healthy food in quantity proportionate to the number of persons embarked; 4th, scrupulous cleanliness and ventilation calculated to preserve as far as possible the health of the passengers; 5th, a medical man and a medicine repository on board, when the number of persons embarked exceeds 100; 6th, strict subjection on their arrival at any of the ports of the island to the sanitary and police arrangements. The infraction of any of these conditions shall subject the person who obtained the permission to the penalties that the competent authority may impose on him.

ARTICLE VI.

The importers of colonists shall be obliged to present to the authority within the twenty-four hours of their arrival, or of their admission to free pratique, if they have been in quarantine or observation, a list of the colonists who may have embarked, accompanied with the contracts, expressing the number that may have died during the voyage, and the causes that may have occasioned their deaths.

ARTICLE VII.

In order that this general order may be obeyed with more ease and exactness, the colonists cannot be introduced except through the port of Havana, unless in case of shipwreck, or other unavoidable accident which may render unavoidable the putting in and disembarking in some of the other ports of the island.

ARTICLE VIII.

The importers of colonists have the power to contract for them with landed proprietors, contractors, or private persons, who may want them, under the conditions which may be convenient, provided that those who receive them bind themselves to the limits of the general order, and that they fulfil punctually with the colonists the stipulations in the contracts entered into in their country.

ARTICLE IX.

The employers of the colonists shall be obliged, as soon as they may receive them from the importers, to give notice to the Government of their having received them, stating the vessel in which they came, the conditions of the agreements entered into with them, the description of labour to which they destine them, and the place to which they convey them.

ARTICLE X.

The Government will then deliver to such employers the contracts which it received from the importers, making a note of their contents in the books which for that purpose will be kept in the Political Secretary's office.

ARTICLE XI.

Whenever the colonists are to be transferred from one place to another, it shall be necessary to obtain the permission of the Government.

ARTICLE XII.

The colonists can be made over by those who first received them, and by their successors, for the term of the contract, under the conditions that may be agreed upon with the person making them over; but such persons shall be liable to the same obligations as the original holders were under, as well with regard to the colonists themselves as to the Government.

CHAPTER II.

Rights of the Colonists, and those reciprocal between them and their Employers.

ARTICLE XIII.

The superior Governor of the island is the original protector of the colonists, and his deputies the Governors and Lieutenant-Governors in their respective districts; and the Syndics of the first class, and the Fiscals of Her Majesty of the second class, are their defenders in judicial affairs in which their employers may not be able to act.

ARTICLE XIV.

The deputed protectors will resolve questions that may arise between the colonists and their employers, recurring in doubtful and serious cases to the original protectors.

ARTICLE XV.

The colonists being obliged to labour a definite numbers of years for the advantage of their employers, and in conformity with the stipulated conditions, they cannot be granted other rights than those, the exercise of which may not be incompatible with their affording the labour which they are engaged to perform. But they shall be empowered to dispose in lifetime, or at their death, during the term of the contract, of all that they may acquire by honourable and profitable title. They shall be empowered to contract matrimony in conformity with the Civil and Canon Laws, provided that their employer do not make opposition, considering it incompatible with the labour which he may command or with the discipline of his estate, workshops, or establishment. They shall be empowered to apply to the authorities, through the protector or his deputies, whenever they may consider they have a right, in opposition to their employer, arising from interests or personal offences. If the right which they might wish to exercise should be in opposition to any other person, either belonging to the estate or establishment in which they may be working, or out of any such, they shall avail themselves of their employer in order to do so, who, as their defender, and in a certain degree natural guardian, shall be obliged to take upon himself the legal satisfaction for the injury, or that justice be done them in the civil questions in which they may be interested.

ARTICLE XVI.

On days of rest, and on other days during the hours in which they do not labour, they shall be allowed to employ themselves in innocent amusements which may not interfere with the discipline of the estate, or employ themselves in labour, the products of which belong to them over and above their wages; but they shall not be entitled to go away from the estate or establishment in which they may be without permission from their employer or his overseer. Neither can they enter into engagements with persons in or out of the estate or establishment without such permission.

ARTICLE XVII.

At the conclusion of the contract they can establish themselves in the country, provided they subject themselves to the conditions which the laws require from strangers wishing to fix their residence in it, or they can freely return to their own; but neither their former employer, nor the Government, nor those who imported them, shall be obliged to indemnify them in the expenses of the return voyage, unless it might have been thus stipulated in the contract.

ARTICLE XVIII.

Once established here, they shall enjoy the same rights, and shall be liable to the same obligations as domiciled strangers, being able to pass over to the class of naturalized Spaniards as soon as they comply with all the conditions which the laws require for that object.

ARTICLE XIX.

They are empowered, for the same reason, to contract freely for their labour, employ their time in the manner they may think advantageous, acquire chattel property and real estate, alienate the same, pass from one place to another under the control of the police laws, and finally, to be free agents, like white people, in which class they are to be considered, as far as it may not be in opposition to the laws.

ARTICLE XX.

The colonists have a right to receive, and the employers are obliged to give, punctually, the salary, food, clothing, and hospital attendance stated in the contracts entered into by them in their country.

ARTICLE XXI.

Consequently all transfers of colonists made by those who may have introduced them into the island, or by others, under which the quantity may be diminished or the quality deteriorated, of these articles, shall be void.

ARTICLE XXII.

It shall be allowable to make an alteration or change in the articles of food, and the make and material of the clothing, but it shall be done with the knowledge of the colonists; and in case they should raise objections from caprice, or if it should not be possible without serious prejudice to the interests of the employer to provide them with the same as specified in the contract, it shall be permitted to substitute others alike in quantity and quality, but the alteration shall be effected with the cognizance of the Government authorities.

ARTICLE XXIII.

They have the right to be assisted in sickness by doctors, medicines, and food, which during such sickness and their convalescence may be prescribed for them.

ARTICLE XXIV.

It shall not be permitted to oblige them to labour during sickness and convalescence, unless the medical men should deem it advisable in certain cases.

ARTICLE XXV.

They have no right to wages from the time at which they may cease to labour, until they may return to their occupations, although occasioned by sickness, unless it should have been otherwise stipulated in the contract, which shall be punctually carried out.

ARTICLE XXVI.

The colonists who by contract may have the right to receive their wages for a certain number of days during sickness, shall forfeit the same if the sickness be their own fault; and the only sickness that will entitle them to attendance in any case, even with wages, shall be that which the medical men of the estate or establishment in which they may be shall designate as such; and in case of there not being such medical men, they shall be amenable to the professional opinion of one or two doctors whom the employer may name: but if the decision should not appear to them just, they shall be empowered to have recourse to the Protector or to his deputy, in order that a new examination may be made by the professional person whom he and the employer may determine upon, which decision shall be binding on both parties.

ARTICLE XXVII.

Notwithstanding, in cases either where nothing is stipulated in the contract, or in those in which express provision is made as to stoppage of wages during sickness, whether short or long, the colonists who may have fallen sick, or been incapacitated from labour, in consequence of the employment to which they are devoted for the benefit of the employer, shall be entitled to the payment of their wages.

ARTICLE XXVIII.

It shall be obligatory on the colonists to labour for their employers twelve hours daily, on an average, except Sundays, which shall be for rest.

ARTICLE XXIX.

The employers have the right to arrange these twelve hours of labour as best may suit their interests.

ARTICLE XXX.

In virtue of this right, they shall be empowered to employ their colonists for a lesser number of hours on the days which they may think fit, or make good to themselves on others that diminution, adding to the twelve those which were wanting to complete that number on the other days.

ARTICLE XXXI.

In the last case, they shall not have the right to require from the colonists more than fifteen hours of labour in one day, but they can divide them as best may answer their purpose, provided that they leave them at least six consecutive hours for rest, either by day or by night.

ARTICLE XXXII.

The colonists are under the obligation to perform any description of labour in which they may be employed, provided it does not exceed the number of hours fixed.

ARTICLE XXXIII.

The employers have the right to indemnification from their colonists for the days and hours during which, from negligence, they abandoned their labour, by prolonging the contract for the time necessary to make such indemnification.

ARTICLE XXXIV.

In order that this may be carried out without detriment to any of the parties concerned, the owners or managers of the estates or establishments in which they may work shall keep books containing an account and explanation of the daily labour which the colonists may perform, so that at the end of each month may be known the number of days and hours that each colonist laboured; and

accordingly, at the conclusion of the contract, it may be known whether the contract ought or ought not to be extended, and for what period. This account and explanation shall comprehend the payments which may have been made to them.

ARTICLE XXXV.

Each month the account shall be closed relative to the labour and payment, and the colonists shall be put in possession of the results; if they should have any objections to make, they shall state them, and the employers shall clear them up without prejudice to the rights possessed by the former; in case of their not being satisfied with the decision, to complain of it to the protector or deputy.

ARTICLE XXXVI.

The days lost on account of sickness, although, as has been stated, they do not give title to wages, if it be not thus stated in the contract, or if the sickness be occasioned by the labour itself, are not to be deducted from the time of the contract; but those which the colonists may lose through their own fault, either by running away from the estate, or by refusing to labour, give the right to the employer to indemnify himself for them, by prolonging the duration of its fulfilment for a like number of days, besides the loss of the wages for those days, and by other penalties which he may inflict on them, according to the seriousness of the offence committed.

ARTICLE XXXVII.

The colonists are under the obligation to be submissive to the discipline of the estate or establishment, as well as to the orders which the employers or their overseers may give them when at work.

ARTICLE XXXVIII.

These persons can employ them on their own estates or establishments, or in those of other persons with whom they may contract for their labour.

ARTICLE XXXIX.

No colonist shall be enabled to annul the obligation which he contracted, although he make good to his employer what he had cost him, unless with the consent of the said employer.

ARTICLE XL.

The colonists have a right to be protected and defended by their employers, who likewise are under the obligation to do so, having recourse to the authorities in case of necessity.

ARTICLE XLI.

The colonists can employ the days of rest in working on their own account.

ARTICLE XLII.

The employers have a right, on paying for it, to contract for such labour for themselves. They can grant land or not to the colonists, to cultivate for themselves during the days and hours of rest, although they are recommended to do so as a means of interesting them in the labours of agriculture, of inspiring them with an attachment to the estate, and as a distraction from amusements and diversions of a dangerous character.

ARTICLE XLIII.

The produce of these small portions of land cultivated by the colonists during the days and hours of rest, as well as the animals which they may rear, are exclusively their own property; but the employers shall have the right to acquire them for himself at the price which may be agreed upon. If on this matter there should be a disagreement, it shall be arranged by means of the Arbitrator or Arbitrators whom the employer and the deputy of the original Protector may name.

ARTICLE XLIV.

If a colonist should run away from the estate or establishment in which he may be, the employer shall give notice to the local authority, who will take the same steps for his capture and restitution to the estate as are taken with slaves that run away.

ARTICLE XLV.

The expenses which may be incurred in the capture and restitution shall be paid by the employer, but he has a right to indemnify himself in same by a monthly deduction of one-half of the wages becoming due to the runaway colonist.

ARTICLE XLVI.

On the days lost during the flight he has no right to any wages whatever, and those days shall, as already said, not count as part of the term of the contract, it being lengthened for just as many days as they may be.

ARTICLE XLVII.

The employers and their overseers are under the obligation to instil into the colonists the tenets of the Catholic religion and the maxims of its sound morality, but they shall abstain from employing any other means than those of persuasion and conviction.

ARTICLE XLVIII.

If any one or more of them should manifest desire to embrace the Catholic religion, they shall make it known to the parish priest, with a view to measures being taken accordingly.

ARTICLE XLIX.

The employers must also make them understand the obligation they are under to be submissive and respectful towards the authorities and their superiors on the estate or in the establishment in which they may labour.

ARTICLE L.

It is the obligation of the employers to protect their colonists, and to represent them as guardians in civil and criminal questions which may oblige them to appear before the judicial authority on matters in which they may not have interests opposed to those of the colonists.

ARTICLE LI.

If any of their colonists should receive from a person not belonging to the estate any offence or injury to their person or property, the employer must, in virtue of the said obligation, require, first, by friendly and extra-judicial means, reparation; and if such means should not be sufficient, they must have recourse to the competent authority. The same shall be done when the offence or the injury proceeds from workmen or other persons employed not under their control on the same estate or establishment.

ARTICLE LII.

For the better compliance with this obligation the employer shall listen to their complaints; he will inform himself of their object, proceeding afterwards in the manner laid down in the preceding Article, in case the complaint be just; and in the other case he will make the colonists understand its want of foundation by means of persuasion and conviction, and with a view to the colonists being accustomed to avail themselves of them (their employers), in such cases considering them their immediate and natural protectors. They shall recommend them not to take satisfaction for their injuries themselves, but to have recourse to the employer to do so, being sure to obtain it if the offence or injury should be real.

ARTICLE LIII.

On every occasion that the employers or their representatives confide to the colonists any business out of the estate, or of the establishment in which they may labour, or that they permit them to go out from them for any other purpose, it shall be their duty to provide them with a proper written license, a requisite which if they are without, they can be detained by the local authorities, and sent back to the place from whence they came.

ARTICLE LIV.

In such case the expenses of the capture and sending back of the colonist shall fall on the employer, he having a claim of indemnification on the overseer who may have fallen into such error.

ARTICLE LV.

If the employers should be wanting in any one or more of the duties which are imposed on them in the former chapter, they shall be compelled to the fulfilment thereof, and there shall be, moreover, inflicted on them the penalties to which they may have made themselves liable, by the usual means and by the authority to which they may be amenable according to their class.

ARTICLE LVI.

Not only shall the colonists have the right to complain of such infractions, but although they should not do so, the protector and his deputies ought to do so whenever they may notice such, or be informed of such by any neighbour.

CHAPTER III.

Penalties which can be inflicted.

ARTICLE LVII.

The employers can avail themselves only of the following modes of correction:—The stocks, chains, and imprisonment from one to thirty days, with or without stoppage of wages.

ARTICLE LVIII.

The colonists have a right to complain of the offences which the employer may have committed against them; and on their not doing so, the deputed protector shall take cognizance of them, if they should fall within his personal knowledge, or if they should be reported to him.

ARTICLE LIX.

If the offences shall be committed by the colonist, the same arising from insubordination, resistance to labour, quarrels which may not have produced serious wounds, petty robbery, contravention of the order of established discipline, flight, offences against morality, or other offences of that description, the punishment shall be inflicted by the employer or overseer of the estate, or establishment, in whom he may delegate the power requisite to do so.

ARTICLE LX.

When the offences should be such as constitute serious crimes, their punishment belongs in the usual course of things to the judicial authorities, the colonists being defended by the Syndics of the corporations, or by those who exercise those functions in the Town Council, and by Her Majesty's advocates of the second class.

ARTICLE LXI.

When the penalties here laid down should not be adequate to the suppression of the offences of the colonists, the employer shall have recourse to the deputy-protector, who in such case will determine what shall be done.

ARTICLE LXII.

In case of insubordination, or of armed resistance with aggression, on the part of the colonists, the employer shall endeavour to put it down by forcible measures, should they be necessary, giving notice as soon as possible to the deputy-protector, in order that in proportion to the seriousness of the offence, he may at once make arrangements for the punishment of the offenders in presence of the other colonists of the estate or establishment.

ARTICLE LXIII.

If the colonist should think the application of the penalties authorized by this general order unmerited, he shall have the right to complain to the deputy-protector, whose duty it is to make himself acquainted with all the circumstances that may have occurred at the time of their infliction, and if he consider it just, he will make it known to the colonist, recommending him to reform for the future; but if it should be unjust, he shall arrange that the employer make reparation for the aggression in a satisfactory manner to the colonist, and in case of his not being able to reconcile them, he shall exercise his authority, so that the inculpated employer may be punished in conformity with justice.

ARTICLE LXIV.

The employers who may be wanting in even one of the duties imposed on them by this general order, shall be compelled to its fulfilment, under threat by the usual process to the penalties which they may have incurred.

ARTICLE LXV.

As the duties of the deputy-protectors require vigilance, and may at times require promptness in the use of this authority, they can be assisted by the subaltern captains of their respective districts, who in their name may perform this service, under their immediate inspection and control.

ARTICLE LXVI.

The deputies shall propose to the original protector whatever they may deem conducive to harmony and interests between the colonists and their employers which may be justified by experience, and shall give them all the information they may ask of them, and shall watch over the proper treatment of the colonists, and the faithful fulfilment of the contracts.

ARTICLE LXVII.

The regulations which up to this time have been in force for Yucatans and Chinese are null and of no value.

Havana, December 23, 1853.

(Signed) EL MARQUES DE LA PEZUELA.

Which, by order of his Excellency, is to be published in the official Gazette of the Government, for the information of all.

(Signed) JOSE ESTEVAN,

Havana, December 23, 1853. *The Secretary to the Government.*

Inclosure 6 in No. 38.

General Order concerning Emancipados.

(Translation.) *Political Secretary's Office, Havana, January* 1, 1854.

HIS Excellency the Governor Captain-General has been pleased to order to be published in the Government Gazette the following General Order concerning Emancipados.

ARTICLE I.

The negroes known by the name of Emancipados are all free. Those who may be five years in the hands of the authorities, and may have completed sixteen years of age, shall obtain their letters of freedom; and those who may remain in the island shall have at their free disposal the wages to which they may be entitled, with the sole deduction for deposit of a part, which shall not exceed a fourth.

ARTICLE II.

Those who may not count five years are distinguished merely from the former by their not being able to dispose of the products of their labour, which shall be held in trust for them during their apprenticeship.

ARTICLE III.

The funds of the Emancipados shall be held in trust, and taken care of by a committee named by the Captain-General, of which the Sindics of the corporation of the Havana shall necessarily form part, and which shall be denominated the "Junta Protectora de los Negros Emancipados" (Committee for the protection of Emancipated Negroes).

ARTICLE IV.

In order that the Government may decree the freedom of the Emancipados who complete their apprenticeship, it will, through the official Gazette, call on the employers who may have them, in order that they may present them within the fixed term of five days in case they be in the capital, and fifteen in case they should be out of it, with the understanding that, at the termination of the said period, those who may not have complied shall incur the penalty of from 50 to 100 dollars, which fine shall be levied summarily and promptly, not precluding more serious penalties, and the collecting of them at the cost of those who delay, on the part of whom experience has shown the authorities lamentable abuses, which it is resolved shall be extirpated at any cost.

ARTICLE V.

The freed person shall engage himself, with the intervention of the Government, to an employer for the term of one year, under the conditions and in the manner laid down in the following form of contract:—

"I, , a freed Emancipado, belonging to the nation , No. , belonging to the vessel , declare that I have contracted myself freely and spontaneously with the Government, for the term of years, to labour at whatever I may be ordered, during the hours of the day that are usual, subjecting myself to the person to whom this contract may be made over (with my consent), and by the same to the overseer of the labour, whom I will obey and respect, the compliance with it being compulsory on me by means of the proper legal measures in conformity with what is prescribed in the General Order for colonists. There shall be paid to me in remuneration of my labour dollars per month, from which will be taken the fourth part, which the Government shall receive to provide for the indemnification of the department. I am to be fed, and to receive two suits of clothes yearly, to be attended to and assisted in sickness, not to be obliged to labour until I be perfectly cured, my wages for the days I may have lost on that account being abated. I cannot be compelled to labour on Sundays and holidays; for I am empowered to employ the same to my own advantage; on the faith of which I authorize this contract before the President and Secretary of the Protecting Committee of the Emancipated Negroes, who in the name of the Government sign the same, I making the sign of the cross, not knowing how to write.

"Havana, (date) (month) (year).

"*The President.*

"*The Secretary.*"

"We transfer this contract in the name of the Government to Don
who signs, as proof of his acceptance of it, and obligation to comply with it scrupulously, or otherwise he shall be compelled to do so by the means pointed out in the General Order for Colonists.

"Havana, of , 185 .

"*The President.*

"*The Secretary.*"

ARTICLE VI.

The employer shall pay to the freed man monthly his daily wages, according to contract, and to the deposit the fourth part each coming year.

ARTICLE VII.

In order that the assignments may have the most advantageous tendency towards those contracted for by the most suitable election of employers, all applications for freed negroes shall be directed to the Government, which will forward them to the Committee; and the latter shall return them, reporting whatever it may esteem just as to the grant or refusal.

ARTICLE VIII.

If any of the Emancipados under contract should wish from any cause to change his employer, the Committee will hear his complaint, and if it be found to be just, it shall make it known to the Government, to be properly dealt with. It shall likewise be the channel through which to address the authorities, the same rule applying for this purpose as in all analagous cases is provided in the General Order for Colonists.

ARTICLE IX.

If the employers should wish to continue for another little period with the freed man contracted with, and the latter should be willing, it can be done by means of a note at the foot of the former contract, but with the intervention of the nearest person in authority, who shall report to the Government, which will inform the Committee.

ARTICLE X.

The apprenticed Emancipados shall be contracted for with the same formalities; but it will be preferred that their destination should be in the capital or its vicinity, in order that they may be nearer to the protection of the Committee; and their wages shall be paid to the said Committee four months in advance.

ARTICLE XI.

There shall be a Treasurer to take care of these funds, and of all the rest which may be accumulated, which person shall be a gentleman who is a member of this charitable Committee, and appointed, at its nomination, by the Government, as likewise shall be its President and Secretary.

ARTICLE XII.

There shall be likewise an Administrator for the depository, who shall not be a member of the Committee, and who shall have a salary proportionate to his employment, which the Government will assign to him at the suggestion of the Committee.

ARTICLE XIII.

If the employment of any other person should be indispensable, the Committee shall likewise propose it, bearing in mind how economical and simple should be the administration of the property of the poor.

ARTICLE XIV.

The Administrator of the depository shall give to the Committee twice a week a particular account of the increase or diminution in the number of the emancipados. This shall not exclude his likewise giving notice to the President of any extraordinary occurrence that may happen in the depository.

ARTICLE XV.

The said Administrator shall remain as constantly as possible at his post, and will permit to visit it, to review those deposited, and to take notes, all who may present themselves with a written order from the President, which may authorise their so doing.

ARTICLE XVI.

For the indemnification, which the Committee may have allowed as just for the employers, to which the carrying out of this arrangement may give rise, the office of the Secretary to the Government shall issue the corresponding draft authorised by the Governor-General, without which requisite neither this nor any other payment shall be made.

ARTICLE XVII.

The Committee will name every month an auditor who shall review the emancipados who may remain in the depository, inform himself personally of those who have not left—be it on account of their advanced age, infirmities, bad conduct, or other cause—and report to the Committee, in order that it may inform the Government of what they may have thought proper to do.

ARTICLE XVIII.

The amount of wages which the free as well as the apprenticed are to gain shall always be equal amongst all of the same class; the Committee shall appoint it each year, calculating on the higher or lower wages of those employed in labour. And with respect to the young, it shall always interest itself, in preference, for the beneficent protection which these unfortunate individuals require.

ARTICLE XIX.

In favour of these latter, in particular, and of all the class of emancipados generally, the surplus means that the wise economy of the Committee can accumulate, after meeting its unavoidable liabilities, shall be indispensably employed.

(Signed) EL MARQUES DE LA PEZUELA.

No. 39.

Her Majesty's Commissary Judge to the Earl of Clarendon.—
(Received February 3.)

My Lord, *Havana, January 6, 1854.*

WITH reference to my despatch of last year's series, forwarded by this month's packet, I have the honour to state, that in the "Gaceta de la Habana" of to-day, under the head of "arrivals of vessels at this port," is an announcement of which the following is a translation:—"From Buenos Ayres in 59 days, the Spanish brig, "*Arroyante Emilio*," Captain Costa, 270 tons, with jerked beef, to Don J. J. Carrera."

I have, &c.
(Signed) G. C. BACKHOUSE.

No. 40.

Her Majesty's Commissary Judge to the Earl of Clarendon.—
(Received February 7.)

My Lord, *Havana, January 12, 1854.*

WITH reference to my despatch of the 2nd instant, I have the honour to transmit herewith a copy and translation of an order issued by the Captain-General on the 3rd instant, requiring the delivering up of all Emancipados, without exception, within certain specified terms of days, varying according to locality, under the penalty, in default thereof on the part of the masters, established in the 4th Article of the order which was issued on the 1st instant, and of which a copy is contained in my despatch above referred to.

I have, &c.
(Signed) G. C. BACKHOUSE.

Inclosure in No. 40.

Order respecting Emancipados.

(Translation.) *Political Secretary's Office, Havana, January 3, 1854.*

HIS Excellency the Governor Captain-General has been pleased to order that from this day be complied with what is laid down in the general order concerning Emancipados, published in the Official Gazette of the Government, on the 20th of December last, and on the first of the present month, commanding in consequence thereof, that the employers of all the Emancipados, without any exception, deliver them in this office within the term of five days for those who may be in this

capital, and of fifteen for those who may be out of it, with the understanding that in default thereof they shall render themselves liable to the penalty designated in the 4th Article of the said general order.

(Signed) JOSE ESTEVAN.

No. 41.

Her Majesty's Commissary Judge to the Earl of Clarendon.—
(Received March 7.)

My Lord, *Havana, January 30, 1854.*

WITH reference to your Lordship's instruction to me of the 8th of November last, directing me to bring before the new Captain-General all well-authenticated claims of Emancipados; I have the honour to state, that on the 27th ultimo, I requested Mr. Crawford to bring formally before his Excellency the case of Marcelino, who had again called on me saying, that in consequence of the Captain-General's recent proclamation of the 20th of December, respecting Emancipados, he had made an endeavour to make his case known, and dealt with in accordance with that proclamation, but that his then owner, Don Miguel Cabello, had told him he had a year longer to serve.

On the 3rd instant I thought proper, in obedience to your Lordship's instruction, to address another letter to Mr. Crawford on the case of another negro, whose claim, as an Emancipado, to liberty, appeared to me sufficiently authenticated; but Mr. Crawford having immediately after shown me a letter he had just received, a copy and translation of which I herewith inclose, dated the 2nd instant, in answer to a letter which he had, at my request, addressed to his Excellency on the case of Marcelino, I was induced, at Mr. Crawford's suggestion, to withdraw my second letter to him; and I have had no more visits from those negroes, though I had appointed them a time, now passed, for coming to me again, if they were still retained in their former servitude.

The two Emancipados, Demetrio and Escolastica, referred to in my despatches of last year, and in previous correspondence, were liberated on the 20th of December last, in celebration of the birthday of the heiress-apparent to the throne of Spain, and Mr. Crawford was informed by the Captain-General that they were to be sent out of the island; but on Mr. Crawford's requesting that they might be allowed to remain, if they wished it, the order for their being sent away was unconditionally withdrawn.

I have, &c.

(Signed) G. C. BACKHOUSE.

Inclosure in No. 41.

The Secretary to the Captain-General to Consul-General Crawford.

(Translation.)

Sir, *Havana, January 2, 1854.*

HIS Excellency the Governor-General cannot now admit representations respecting the emancipated negroes who have been declared free by an order of the first day of the present year, for therein are established the rights of each one and the means of claiming them. Nevertheless, I will say to your Honour privately that that negro whom your honour mentions shall be freely engaged if he choose with his present employer, or with another to labour for daily wages, and that we are occupied at present in putting into execution those measures with all possible despatch. It is indeed impossible, as must occur to your Honour, to effect in a few days the fresh engagement of many hundreds of men dispersed over all parts of the island. Your Honour may depend upon it that the English Judge of the Mixed Court may rest assured that what the authority has arranged will positively be carried out, and that the philanthropic man cannot exceed our present General in benevolent intentions with regard to those poor people.

I repeat, &c.

(Signed) JOSE ESTEVAN.

No. 42.

Her Majesty's Commissary Judge to the Earl of Clarendon.—
(Received March 7.)

My Lord, *Havana, February 2, 1854.*

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 15th December, 1853, instructing me to bring before the Captain-General certain information which I possessed with regard to the number of the Emancipados in Cuba, and to request him to afford me his assistance, by verifying the correctness of my calculation, and by carrying out the intentions of the Spanish Government as to the complete liberation of those persons.

I have the honour to transmit herewith a copy of a letter which I have addressed to the Captain-General, in consequence of your Lordship's instruction, the latter part of that instruction having been rendered unnecessary by his Excellency's recent measures.

I inclose also a copy and translation of the answer which I have received to-day by direction of the Captain-General, informing me that his instructions from his Government did not allow him to communicate the information in question to me, but that he communicated yesterday to the Spanish Minister in London all the information relating to the subject.

I have, &c.
(Signed) G. C. BACKHOUSE.

Inclosure 1 in No. 42.

Her Majesty's Commissary Judge to the Captain-General.

Most Excellent Sir, *Havana, January 27, 1854.*

IN obedience to an instruction which I have received from the Earl of Clarendon, Her Britannic Majesty's Secretary of State for Foreign Affairs, I have the honour to request your Excellency to be so good as to acquaint me, for the information of Her Britannic Majesty's Government, with the number of emancipados who have been liberated under the orders issued by your Excellency on the 1st instant, and with the number of those who, in conformity with the second Article of those orders, have still to serve an apprenticeship.

It appears that, according to the imperfect information possessed by the British Commission, the number of emancipados in existence on the 31st of October, 1845, was estimated at about 1,200. Since that time down to the end of October, 1853, a period of eight years, there have been according to the information contained in the archives of this Commission 1,311 added to the number of emancipados by various seizures of Bozal negroes by the authorities of this island. During the same period there have been at various times certain emancipados, amounting altogether to the number of 440, given to the British Commission by the Government of this island, to be sent away. Of those who have been liberated by the Government with permission to remain in this island, and of those who have died within the same period, the British Commission possesses no record, except of 35 of the former and only 2 of the latter. The result of all these facts, if correct, would be that there were at the end of October, 1853, emancipados in this island to the number of 2034; but the information possessed by the British Commission being in some of the above particulars so very scanty, I have been instructed by the Earl of Clarendon to apply to your Excellency for assistance to enable me to give an authentic account for the satisfaction of Her Britannic Majesty's Government.

I have, &c.
(Signed) G. C. BACKHOUSE.

Inclosure 2 in No. 42.

The Secretary to the Captain-General to Her Majesty's Commissary Judge.

(Translation.)

Sir, *Havana, February 1, 1854.*

HIS Excellency the Governor and Captain-General directs me to say to you, as I do, that he received your communication of the 27th of January last, in which, in compliance with Lord Clarendon's instruction to you, you solicit certain information relative to the emancipados which remain in this island; but his Excellency not being able to accede to your request, the instructions he has from Her Majesty's Government not permitting him to do so, he communicates under this date, in conformity with the said instructions, to his Excellency the Minister Plenipotentiary of Spain in London, all the data on the matter, in order that he may make such use of them as he may think proper.

I repeat, &c. (Signed) JOSE ESTEVAN,
The Secretary of the Government.

No. 43.

Her Majesty's Commissary Judge to the Earl of Clarendon.—
(Received March 7.)

My Lord, *Havana, February 9, 1854.*

WITH reference to my despatch of the 2nd ultimo, inclosing a copy of a note from the Captain-General, informing me that his instructions from his Government did not allow him to furnish me with certain information respecting the numbers of the Emancipados, but that he supplied the information, as he was permitted to do, to the Spanish Minister Plenipotentiary in London. I beg to observe that it appears to me, that if the Spanish Government could ever be induced to order compliance with the 5th and 6th Articles of Annex C to the Treaty of 1835, respecting the information to be supplied to the Mixed Court, relating to the Emancipados, every six months, the present would be the occasion, when that Government would have the least objection to issuing such an order.

A plain interpretation of the statement made by the Spanish Government, which was communicated to me in your Lordship's despatch of the 9th of September last, would lead one to suppose that such an order has already been issued more than a year ago. But the late Captain-General took his departure from this island in December, 1853, without having supplied the information in question, though he had, with reference to this subject, in November 1852, said he would fulfil the orders that had been sent to him.

Much objection existed, no doubt, on the part of Spain, to the disclosures which would have been made by a full compliance with the Treaty in this particular, before the arrival here of the present Captain-General. But the case seems to be altered now, and to be such as would bear investigation.

The order of the 5th of January, for the delivering up of all Emancipados to the Government within a few days, appears to have been strictly acted up to. I have heard of one person, holding a responsible situation in the Custom-house at this port, having been imprisoned for attempting to evade that order, by endeavouring, in a particular instance, to pass off an Emancipado as a slave. I have heard also of the detection of a few other similar attempts at fraud. There is reason to believe, however, that recently, during the time of the very notoriously corrupt dealings of persons in office here, there were not many such frauds successfully practised on those whose interest it was, on account of the premium paid to them for every fresh assignment and re-assignment of Emancipados, to detect or prevent such frauds. Now, however, supposing the corrupt dealings of official persons to be put a stop to by the vigilance of the present Captain-General, the security for the condition of the Emancipados being at least kept in sight is so far as it rested on such interest, removed, and the dealing with such matters is, moreover, by the newly published regulations, consigned exclusively to the care of Spanish authorities.

The appointment of the "Junta," for the protection of emancipated negroes, mentioned in the 3rd and several subsequent Articles of the Regulations of the 1st of January, appears to be intended to supersede the requirements of the 5th & 6th Articles of Annex C to the Treaty of 1835. In Article 7th of that Annex, it is provided, that if in future it should appear necessary to adopt new measures for improving the condition of the Emancipados, in consequence of the measures laid down in the said Annex turning out inefficacious, the "High Contracting Parties will consult together, and agree upon other means better adapted for the complete attainment of the object proposed." From the absence of any communication from your Lordship upon this subject, beyond information of the promise of the Spanish Government made last year for the liberation of Emancipados, and from the absence of any allusion to Her Majesty's Government as a preamble to the said Regulations, I cannot but conclude, that there has been no such consultation or agreement, on the adoption of these new measures, between the two High Contracting Parties; no further remark on the orders issued on the 1st of January, beyond a recurrence to the subject of the apparent hardship alluded to in my despatch of the 2nd ultimo, as being involved in the negroes having to contribute one-fourth of his wages to a fund for indemnifying certain late holders of Emancipados;

the case of a such negro would appear rather to call for compensation to be awarded to him, for the injustice to which he has formerly been subjected, while by these new Regulations, instead of receiving compensation for the injustice he has suffered, he is compelled to pay for the simple discontinuance of it.

In the Regulations issued on the 23rd of December last, respecting immigrants, Spanish, Indian, Yucatecan, or Chinese, there is an important provision in the 3rd Article of the 1st chapter, namely, for the introduction of women. Amongst the Chinese who have been introduced into this island, amounting to 4000 during the last year, and about 500 some years before; there have been, I believe, no women, although there were regulations specially relating to any who might come as immigrants. The Chinese have not, it is true, been introduced avowedly for the purpose of peopling the country, but only under a contract to labour for a certain number of years. In the new Regulations, it is laid down in Article XVII, that on the expiration of the contract they are at liberty either to settle in this country or to return to their own country, it being expressly stated in that article, that in the latter case, neither their employers, the Government, nor those who brought them here, shall be bound to pay their passage back, unless there shall have been a stipulation to that effect in the contract.

Mr. Crawford has just informed me of an attempt on the part of a merchant resident here to introduce, on his own speculation, some labourers from Yucatan. He, the said merchant, has just returned from Mexico, whither he had gone for the purpose of forwarding his scheme, which is not likely to succeed. The Mexican Government has refused to allow such labourers to be exported, except on conditions very different from those established by the recent Regulations. The labourers are not to be bound to remain for a longer term than five years, and are to be under the protection of the Mexican Consul, instead of being under the exclusive protection of the Government here, as provided in the said Regulations.

One argument commonly employed in this country in favour of Slave Trade, and one which is supposed to be met by the proposed introduction of free labourers, is the diminution in numbers of the negroes employed in this island. The "Real Junta de Fomento," a committee of public works, having for its president the Captain-General, and having certain funds at its disposal, derived from taxation, published a decree on the 28th of September last, on the motion of Don Miguel de Embil, a member of that Committee, offering a reward of $500 to the author of the best paper which should be produced within six months of that date, setting forth the causes of that diminution, and the most effectual means for the preservation and increase of the coloured race.

I have, &c.
(Signed) G. C. BACKHOUSE.

No. 44.

The Earl of Clarendon to Her Majesty's Commissary Judge.

Sir, *Foreign Office, March* 24, 1854.

WITH reference to your despatch of the 2nd ultimo, reporting that the Captain-General of Cuba had informed you that he was precluded by his instructions from communicating to you the information required by Her Majesty's Government respecting the Cuban Emancipados, but that he had transmitted it to the Spanish Minister in London, I have to inform you that I have been in communication with the Spanish Chargé de Affaires on this subject, and I transmit to you herewith a copy of a note* which I have received from M. Comyn, inclosing a statement of the number and condition of the Emancipados now existing in Cuba.

I am about to send the inclosed papers to Mr. Crawford, and I have to instruct you to proceed, in conjunction with him, to compare the details of

* See Class B, No. 502.

the Captain-General's statement with such information as may be in his and your possession with regard to the Emancipados; and you will then transmit to me a joint report thereupon.

I am, &c.
(Signed) CLARENDON.

No. 45.

Her Majesty's Commissary Judge to the Earl of Clarendon.—
(Received April 1.)

My Lord, *Havana, February* 22, 1854.

I HAVE the honour to state that the Captain-General has already taken occasion to act in accordance with the Proclamation issued on the 23rd of December last, of his intentions with regard to local authorities who connive at Slave Trade. I am informed that his Excellency has dismissed the authorities at Batabano on account, it is said, of some slave-trading transactions which took place there about two months ago; he has also arrested the Lieutenant-Governor of Trinidad, Don Pantaleon Lopez Aillon, for similar transactions in his district. Don Pantaleon was lately Lieutenant-Governor of Nueva Filipina, in this island;—he was, in the course of last year, through Mr. Crawford's denouncement I believe, put on his trial before the Real Audiencia, on account of the disembarkation of 280 Bozal negroes from the "*Jasper*," in the Ensenada de Bailen, in his jurisdiction, about the beginning of June last. The trial was, however, stopped on the ground of there being no just cause for continuing it, or against restoring the Lieutenant-Governor to his office; and on the 12th of December last, the day after the departure of General Cañedo, the decision of the Real Audiencia to this effect was announced in the "Gaceta" by order of the Captain-General, for the avowed purpose of clearing the character of Don Pantaleon, who was very soon after promoted to the Lieutenant-Governorship of Trinidad, where he has, as above stated, become involved in another affair of the same nature.

I have, &c.
(Signed) G. C. BACKHOUSE.

CAPE OF GOOD HOPE.

No. 46.

Her Majesty's Commissioners to the Earl of Clarendon.—(Received May 30.)

My Lord, *Cape Town, March 31, 1853.*

THE arrival of Her Majesty's ship "Penguin" having placed us in possession of the latest intelligence from the Moçambique Channel, we have the honour to present to your Lordship our report upon the Slave Trade on the east coast of Africa during the past year.

Although considerable numbers of negroes have been collected at the usual places on the coast, we have not heard of any vessel which has succeeded in evading Her Majesty's cruisers and carrying off a cargo of slaves, except a vessel which was on the coast under American colours, as the "*Camargo*." This vessel, we learn, shipped her cargo of slaves just above Quillimane, and landed them near Rio de Janeiro; but, in justice to the Brazilian authorities, we must state that this is said to have been done against their orders; and our informant adds, that they were employed in tracing and bringing to punishment the offenders.

In the course of 1852 six vessels, five of which were captured in 1851, were brought before the Court of Vice-Admiralty in this colony, and all were condemned for being engaged in the traffic in slaves.

1. The Spanish brig "*Mariana*," of the Havana, was taken by Her Majesty's ship "Orestes," on January 24, 1852, in latitude 35° 16′ south, longitude 25° 12′ east, and, being complete in her Slave Trade equipments, was condemned on February 12, 1852.

2, 3 and 4, were cases of dhows, captured by the boats of Her Majesty's ship "Castor," in October and December, 1851. Of these vessels two were cases of equipment only, the third, which, when chased, ran ashore in Pongo Bay, had on board from forty to fifty slaves, who were landed from her. During the chase she showed Portuguese colours, but neither flag nor papers were to be found when the boat took possession of her. These vessels were condemned on February 18, 1852.

5. The barque "*Presidente*," captured and destroyed by Her Majesty's ship "Penguin," on November 4, 1851. She was first seen at anchor off Querimba, and was run ashore and abandoned on the approach of the "Penguin's" boats. She was fully equipped for Slave Trade.

6. On the same day the "Penguin" also captured and destroyed a dhow with slave fittings. These two vessels were condemned on April 23, 1852, since which date no Slave Trade case has been brought before the Court of Vice-Admiralty in this colony.

Wherever, in the interior, traders have hitherto penetrated, it appears that they find that the natives, even if not themselves visited by slave-traders, speak of the traffic being carried on by tribes beyond them with the Portuguese settlements, both on the east and west coast. The trade is represented as extensive, which is confirmed by the presence of so many slaves on the coast; the goods received in return for the slaves being guns, powder, and cloths; but we much regret that we are unable to furnish your Lordship with more specific information upon this point.

But while the interior trade is thus still continued, and a supply of slaves kept in the Portuguese territories ready for shipment, it is matter of congratulation that opportunities of embarking cargoes have become rarer; and, whether

from the want of a market, or from the difficulty of evading Her Majesty's cruisers, we have much satisfaction in reporting to your Lordship that the Slave Trade in the Moçambique Channel has, during the past year, been essentially diminished.

(Signed) GEO. FRERE, Jun.
FREDERIC R. SURTEES.

No. 47.

Her Majesty's Commissioners to the Earl of Clarendon.—(Received May 30.)

My Lord, *Cape Town, April* 21, 1853.

WE have the honour to report to your Lordship the arrival at this port of the Spanish ship "*Bella Gallega*," E. Benavides," master, bound to the Havana, with 388 Chinese emigrants, from Amoy. The vessel was dismasted in a gale, and put in here for repairs and supplies.

Upon inquiry we find that these Chinese are bound to the Junta de Fomento, of the Havana, who have received permission to import to the number of 6,000, if possible, during the present year, and who pay the contractors for this detachment, Messrs. Villoldo and Waldrop, at the rate of 150 dollars for each man landed in Cuba.

According to our informant, the Junta is doing its utmost to obtain the full number allowed by the Spanish Government; three Spanish vessels, the "*Julian Unguela*," the "*San Andres*," and one, name unknown, and three English vessels, the "*Panama*," "*Australia*," and "*Sir Thomas Gresham*," had taken in from 350 to 400 each, when the "*Bella Gallega*" left Amoy in January last.

Each man has a contract, printed in the Chinese and Spanish languages, to the effect that he engages himself for a term of eight years, to labour at whatever work may be assigned to him by the Junta, or the persons to whom that society may transfer him; the rate of pay is 4 dollars per month, to commence 48 hours after arrival at Havana, with rations, clothing, lodgings, and medical treatment when sick; and as there is no stipulation for a return passage to China, the individuals thus imported may be looked upon as permanent settlers, who at the expiration of the term of service may, as the contract expresses it, "work where they please."

The men were collected at Amoy by the English house of Tie and Co., through the agency of the Mandarin. The inducements to embarkation were stated to us as being the existence of much want, almost amounting to starvation at Amoy; and an advance of $9\frac{1}{2}$ dollars in money, and clothing to the value of about $2\frac{1}{2}$ dollars more, in all 12 dollars, which, however, was to be refunded by the immigrant out of his pay at the rate of 1 dollar per month.

The master calculated that the total cost of the importation of these men into the Havana would amount to 120,000 dollars, which would make the cost of each man to the Junta about 60*l.* sterling.

In this colony, where labour is so much in request, the arrival of the "*Bella Gallega*" has naturally attracted the notice of the authorities; and we have the honour to inclose a copy of the Report published, by order of his Honour the Lieutenant-Governor, for general information, annexed to which is a translation of one of the contracts already alluded to.

The vessel was tolerably clean, and the Chinese seemed contented and well looked after.

The rations were most plentiful, and seemed of a good description; and the care of the shippers descended even to a provision of toys and other means of amusement for the emigrants, of whom only one died on the voyage to this place.

We have, &c.
(Signed) GEO. FRERE, Jun.
FREDERIC R. SURTEES.

Inclosure in No. 47.

Government Notice.

HIS Honour the Lieutenant-Governor directs the publication, for general information, of the subjoined particulars regarding emigrants from China to the Havana, on board the Spanish ship, "*Belle Gallega*," now in Table Bay.

Port Office, Cape Town, April 7, 1853.

Sir,—In reply to your letter of the 5th instant, I have the honour to report for the information of his Honour the Lieutenant-Governor, that, according with the instructions contained therein, I proceeded on board the Spanish ship "*Bella Gallega*," now in this port, and bound to Havana, with Chinese emigrants on board, for the purpose of procuring what information lay in my power respecting the Chinese emigrants; and I now report as follows:—

QUESTIONS.	ANSWERS.
1st. Whether they are all males, and if not, the proportion of each sex?	1st. All. No women are allowed to embark.
2. Whether they are all adults above 14 years of age; and if not, the number below that age?	2. Age, from 15 to 45, generally from 20 to 30.
3. Whether they are agricultural labourers, and what the description of agriculture to which they have been particularly accustomed?	3. Some agricultural, carriers, fishermen; no artificers.
4. Whether their passage from China to Havana is defrayed at the cost of the Government of Cuba, or by private individuals?	4. The Junta de Fomento, of Havana, who have made a contract with the firm of Villoldo and Waldrop, to pay the contractor 150 dollars each.
5. What is the cost of the passage per head, what the value of the rations (which you will be good enough to specify), and what the total cost of importation to Havana?	5. Sixty dollars (Spanish, à 4*s.*) per head; best of rations, 13 to 14 dollars per head, rice, with occasionally biscuit, and every day salt meat and fish, with vegetables; 120,000 dollars.
6. What are the terms under which they migrate, especially as to there being any condition as to giving them return passages to China. Are they to labour upon sugar estates; and have they entered into written contracts before leaving China?	6. Each man has a contract written in Chinese and Spanish (see contract); no return passage.—After eight years they may return. Sugar, coffee, generally; all agriculture. Yes. Each man has a contract, written in Chinese and Spanish.
P.S.—You will also be pleased to ascertain through what means they have been communicated with, and induced to migrate, and whether the Chinese Government oppose it.	There is much want at Amoy. The negotiations are by the house of Fay, with the permission of the Mandarin. The men were ready for ships in depôts. Four dollars wages, lodging, clothing, and food.

I may also mention that the "*Julian Unquela*" and another vessel sailed with 350 before the "*Bella Gallega*." The "*San Andres*" had 390 on board. There were three or more English vessels had already sailed,—"*Panama*," "*Australia*," and the "*Sir Thomas Gresham*," and others whose names are not known, all loaded on account of the Junta Fomento, of Havana.

I have, &c.
(Signed) W. P. JAMISON,
Acting Port Captain.

P.S.—I beg to annex a copy of a contract between the Chinese and the contractor, which will give you full information regarding the agreements.—W. P. J.

No. 48.

Her Majesty's Commissioners to the Earl of Clarendon.—(Received August 27.)

My Lord, *Cape Town, July* 1, 1853.

WE have the honour to acquaint your Lordship that no case has been adjudicated by the Mixed Commission of which we are members, during the half-year ending June 30th, 1853.

We have, &c.
(Signed) GEO. FRERE, Jun.
FREDERIC R. SURTEES.

No. 49.

Lord Wodehouse to Her Majesty's Commissioner.

Sir, *Foreign Office, December* 12, 1853.

I AM directed by the Earl of Clarendon to transmit to you herewith, for your information, a copy of a correspondence* which has passed between his Lordship and Count Lavradio, the Portuguese Minister at this Court, respecting the conduct of Commander Bunce, of Her Majesty's ship "Castor," in destroying a slave-vessel and a barracoon at Quissanga, on the east coast of Africa, in August, 1852.

I have, &c.
(Signed) WODEHOUSE.

No. 50.

Her Majesty's Commissioner to the Earl of Clarendon.—
(Received January 31, 1854.)

My Lord, *Mixed Commission Chambers, Cape Town, December* 19, 1853.

I HAVE the honour to announce to your Lordship the arrival of Her Most Faithful Majesty's Commissioner, the Councillor Señor Luiz Carlos Rebêllo, who landed on the 14th instant from the Portuguese corvette "Don Joao I°"

On the 16th Señor Rebêllo accompanied me to this office, and produced his credentials, which were found to be in good and proper form; and the Lieutenant-Governor having appointed the 19th for receiving the Mixed Commission, we this day waited upon his Honour at Government House, when Señor Rebêllo took the oath of his office, as prescribed by Article I of Annex B to the Treaty of July 3, 1842.

I have the honour to inclose copies of the minutes of the Mixed Commission relative to this subject.

The Chevalier Alfred Duprat, who has been acting as Portuguese Commissioner since the departure of Dr. Moniz, resumes the office of Portuguese Arbitrator, and has the satisfaction of having received the uniform approval of his Government of all his proceedings while acting in the higher appointment.

I may perhaps be permitted to express my own regret at losing him as a colleague, for although we have occasionally differed very decidedly in opinion, and upon some subjects on which his zeal for the interests and honour of his compatriots naturally led him to feel most warmly, it is with great pleasure that I see that those differences have in no way affected the perfectly good understanding and confidence which has hitherto happily existed between us.

I have, &c.
(Signed) GEO. FRERE, Jun.

Inclosure in No. 50.

Minutes.

Mixed British and Portuguese Commission,
Cape Town, December 16, 1853.

Present: George Frere, Esq., Alfredo Duprat, Esq.; James R. Macleay, Esq., *Registrar.*

THE Chevalier Duprat introduced the Conselheiro Luiz Carlos Rebêllo, and stated that he had received a despatch from his Government, announcing that Senor Rebêllo had been appointed Commissioner on the part of Her Most Faithful Majesty, in the place of Don Moniz, resigned.

Senor Rebêllo produced the following papers:

1st. (Portaria de Remessa) Order, dated February 20, 1852, covering a copy of—

2nd. (Decreto de Nomeação) The royal decree, dated February 18, 1852, appointing Conselheiro Luiz Carlos Rebêllo, Commissioner in the Mixed British and Portuguese Commission, established

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* See Class B, Nos. 311, 322, 332, and 333.

at the Cape of Good Hope, in pursuance of the Treaty of July 3, 1842, between Great Britain and Portugal, for the abolition of the Slave Trade.

These papers having been examined, and found to be in due and proper form,

It was ordered that the Lieutenant-Governor should be informed of the arrival of Senor Rebêllo, and be requested to fix a day upon which it would suit him to administer to Senor Rebêllo the oath required by Article I of Annex B to the Treaty.

(Signed) JAMES R. MACLEAY,
Registrar.

Mixed British and Portuguese Commission,
Cape Town, December 19, 1853.

Present: George Frere, Esq., Luiz Carlos Rebêllo, Esq., Alfredo Duprat, Esq.;
James R. Macleay, Esq., *Registrar.*

The Registrar was directed to record that Senor Rebêllo, accompanied by Her Britannic Majesty's Commissioner, the Chevalier Duprat and the other members of the Mixed Commission, waited upon his Honour the Lieutenant-Governor, at Government House, at noon this day, when his Honour administered to Senor Rebêllo the oath required by Article I of Annex B to the Treaty, in the form prescribed by Her Majesty's Order in Council of August 27, 1842; and Senor Rebêllo took his seat in the Mixed Commission, as Commissioner on the part of Her Most Faithful Majesty.

(Signed) JAMES R. MACLEAY,
Registrar.

No. 51.

Her Majesty's Commissioner to the Earl of Clarendon.—(*Received February* 27.)

My Lord, *Mixed Commission Chambers, Cape Town, January* 2, 1854.

I HAVE the honour to acquaint your Lordship that no case has been adjudicated by the Mixed Commission at the Cape of Good Hope during the half-year ending December 31, 1853.

I have, &c.
(Signed) GEO. FRERE, Jun.

No. 52.

Her Majesty's Commissioner to the Earl of Clarendon.—(*Received February* 27.)

My Lord, *Mixed Commission Chambers, Cape Town, January* 2, 1854.

I HAVE the honour to transmit to your Lordship a report drawn up by the Mixed Commission, of which I am a member, in compliance with the provisions of Article XI, Annex B to the Treaty of July 3, 1842, between Great Britain and Portugal, for the suppression of the traffic in slaves, relating,—

1stly. To the cases which have been brought before the Court for adjudication.

2ndly. To the state of the liberated negroes.

3rdly. To the treatment and progress made in the religious and mechanical education of the liberated negroes.

I have also the honour to inform your Lordship that my Portuguese colleagues are about to transmit a duplicate original of this report to the Government of Her Most Faithful Majesty.

I have, &c.
(Signed) GEO. FRERE, Jun.

Inclosure in No. 52.

Annual Report of the Mixed Commission.

Mixed British and Portuguese Commission,
Cape Town, December 31, 1853.

IN pursuance of Article XI of Annex B to the Treaty concluded on the 3rd July, 1842, between Great Britain and Portugal, for the suppression of the traffic in slaves, by which it is stipulated that the Mixed Commissions shall transmit annually to each Government a Report relating,

1st. To the cases which have been brought before them for adjudication;

2nd. To the state of the liberated negroes;

3rd. To every information which they may be able to obtain respecting the treatment, and the progress made in the religious and mechanical education of the liberated negroes;

The Undersigned, members of the Mixed Commission established at the Cape of Good Hope, have the honour to report to the Government of Her Britannic Majesty, and to the Government of Her Most Faithful Majesty, that no case has been brought before them for adjudication during the year ending December 31, 1853, and that no negroes have been emancipated by decree of this Mixed Commission since its establishment.

(Signed) GEO. FRERE, Junior.
LUIS CARLOS REBELLO.
ALFREDO DUPRAT.
JAMES R. MACLEAY,
Registrar.

LOANDA.

No. 53.

Her Majesty's Commissioners to the Earl of Malmesbury.—(*Received April* 2.)

My Lord, *Loanda, January* 1, 1853.

WE have the honour to report, for the information of your Lordship, that there have been no cases adjudicated in the British and Portuguese Court of Mixed Commission established in this city during the last half-year.

We have, &c.

(Signed) GEORGE JACKSON.
EDMUND GABRIEL.

No. 54.

Her Majesty's Commissioners to the Earl of Malmesbury.—(*Received April* 15.)

My Lord, *Loanda, January* 1, 1853.

IN pursuance of the general instructions, we have the honour to inclose herewith for your Lordship's information, a certified return of the slaves emancipated and registered by the Mixed Commission Court in this city, up to the end of the year 1852.

We have, &c.

(Signed) GEORGE JACKSON.
EDMUND GABRIEL.

Inclosure in No. 54.

(Translation.)

Register of Slaves, natives of Africa, liberated by the British and Portuguese Mixed Commission established in this city of St. Paul de Loanda.

Vessels in which captured.	Male Slaves.	Dates of Liberation.	Number of Slaves liberated.	Remarks.	In enjoyment of complete freedom.	Dead.	Missing.
Portuguese boat without name	4	Sentence of 29th March, 1845.	4	Enlisted in the Portuguese Naval Service.	..	..	..
Portuguese launch "*Fortuna*"	20	Sentence of 27th March, 1848.	20	Under the charge of the Government of this Colony, at the Establishment of Public Works.	1	3	1

Slaves liberated in 1845	4
Slaves liberated in 1848	20
Total number of slaves liberated up to the 31st December, 1852	24
Liberated slaves who died in 1851 { of natural death	2
{ of violent death	1
Liberated slaves missing	1
Liberated slaves in the enjoyment of complete freedom	1
Liberated slaves remaining on the 31st December, 1852	19

(Signed) GUILHERME CYPRIANO DEMONY, *Curator.*

St. Paul de Loanda, January 1, 1853.

No. 55.

Her Majesty's Commissioners to the Earl of Malmesbury.—(*Received April* 15.)

My Lord, *Loanda, January* 20, 1853.

WE have the honour to inclose herewith, the joint Report of the British and Portuguese Commissioners, which the 11th Article of Annex B to the Treaty makes it incumbent upon them to transmit annually to each Government.

We have, &c.

(Signed) GEORGE JACKSON.
EDMUND GABRIEL.

Inclosure in No. 55.

Report of the Mixed Commission for 1852.

Hall of Sessions of the British and Portuguese Mixed Commission in St. Paul de Loanda, January 20, 1853.

My Lord,

WE have the honour to transmit herewith to your Lordship the Report which, in conformity with the 11th Article of Annex B to the Treaty of the 3rd July, 1842, for the suppression of the Traffic in Slaves, it is the duty of this Commission to make annually to each of the respective Governments.

We have, &c.

(Signed) GUILHERME CYPRIANO DEMONY,
H. M. F. M.'s Commissioner.
GEO. JACKSON,
H. B. M.'s Commissioner.

Hall of Sessions of the British and Portuguese Mixed Commission in Loanda, January 20, 1853.

REPORT for the year 1852, which it is the duty of the British and Portuguese Mixed Commission, established in St. Paul de Loanda, in virtue of the Treaty of the 3rd July, 1842, concluded between Great Britain and Portugal, for the suppression of the Traffic in Slaves, to transmit to each of the respective Governments, in conformity with the 11th Article of Annex B to the said Treaty.

I.—Cases submitted for Adjudication.

During the year 1852 there was no case submitted to this Commission for adjudication.

II.—Condition of the Liberated Negroes.

1. The 4 negroes who were liberated by sentence of this Mixed Commission of the 29th March, 1845, are known to the Commission to be still enlisted in the Portuguese naval service.

2. With regard to the 17 remaining of the 20 who were liberated by sentence of this Mixed Commission of the 27th March, 1848, it is known to the Commission that 1 of them has received from the Board of Superintendence the enjoyment of his complete freedom, in consideration of his good conduct, and his progress in the trade of stone-masonry; and that the other 16 continue under the charge of the Government of the colony, but that 1 of them—a man of about 30 years of age—is still missing.

III.—Information respecting the Liberated Negroes.

1. With regard to the 4 liberated negroes who are enlisted in the Portuguese naval service, this Commission can give no other information concerning them than that they are conducting themselves well, and are receiving proper treatment.

2. With respect to the 16 liberated negroes, who are under the charge of the Government of this colony, it is known to this Commission that 1 of them, as already mentioned, is missing; and that of the other 15, 4 are learning the trade of stone-masonry, 4 others that of carpenters, 1 is apprenticed to the trade of blacksmith and locksmith, 1 is learning the trade of tinman, another the trade of cooper, and 4 are employed in manual labour in consequence of not having aptitude for learning any trade. It is further known to this Commission that they receive the same treatment as the other apprentices and negroes under the charge of the Government, and that their food is such as is suitable for negroes, but abundant.

(Signed) GUILHERME CYPRIANO DEMONY,
H. M. F. M.'s Commissioner.
GEO. JACKSON,
H. B. M.'s Commissioner.

No. 56.

Her Majesty's Commissioners to the Earl of Malmesbury.—(Received April 15.)

My Lord, *Loanda, January 25, 1853.*

THE Reports which this Commission had the honour to transmit last year on the state of the Slave Trade on this part of the coast showed its suppression to be all but accomplished; and, although there have been since then occasional indications (of which we shall have occasion to speak presently) of a determination to persist in it to the last, yet we think we may, in this our annual Report, venture to consider the Traffic as so far extinct as that nothing but a change of policy on the part of Brazil can effect its revival to any very considerable extent.

In fact, as your Lordship is well aware, the Slave Trade which was so actively kept up on this side of the equator was almost exclusively Brazilian; that then being stopped, it is not too much to affirm the Slave Trade in this province is, for the present, at an end;—a statement that the late partial attempts of some Cuban adventurers can hardly be said to controvert, especially when we know that in three instances, at least, they have resulted in the capture of the vessel; and that the difficulties attendant, under any circumstances, on such attempts must be greatly multiplied from the want of correspondents and agents on the spot to collect the slaves, arrange for the payment, and prepare for their shipment.

On the other hand, both the Metropolitan and Colonial Governments seem each fully alive to the necessity of directing the views of the inhabitants of this province to the means of transferring to licit commerce the energies and capital which have too long been directed only to the prosecution of the Slave Trade, and of turning to the best account the many valuable productions in which this country abounds.

With this view, although the plan of locating Brazilian immigrants in the

new settlement at Mossamades has been attended with but little success in proportion to the great expense incurred, an effort is to be made to induce colonists from Madeira and the Cape de Verds to settle in this province; and an individual, with whom the Government at Lisbon has entered into contract, arrived here some short time since from their Indian possessions, to teach and promote the culture of the cocoa or palm tree; while the proprietors of estates in the interior are continually urged to apply themselves to the improvement and extension of agriculture in the various branches for which the soil is peculiarly adapted.

At a recent public ceremony, in which the President of the Municipal Chamber had occasion to address the Governor-General of this province, he made honourable mention of his Excellency's administration, as that during which the Slave Trade had almost entirely ceased, and capital had begun to employ itself in the safer speculations of lawful commerce, the only one which could ensure the solid and permanent prosperity of the province.

His Excellency, in his reply, exhorts the inhabitants, while casting a dense veil over the vestiges which may yet perchance remain of that "barbarous and inhuman traffic," to engage solely in licit speculations, from which alone they can derive prosperity.

These, your Lordship will say, and with but too much truth, are mere words; but they, at any rate, mark an era so novel in this province as to merit a place in a Report of this nature.

It is to be hoped, however, that every succeeding year this advice will be more and more generally followed. It is certain that the exportation of urzella (a product of similar but inferior quality to the orchilla obtained from the Canaries and Cape de Verds), of coffee, and of the oil-nut, has considerably increased, and that the number of vessels sailing hence, in the course of the past year, laden with these articles, chiefly bound to Lisbon, though some few cargoes have also been despatched to England, France, and Hamburg, exceeds by many that of any preceding; while, as regards the revenue, which it was said would be diminished by the stoppage of the Slave Trade, the returns from the Custom House during the last, as compared with former years, show a considerable increase of import duties, notwithstanding that the vessels whence they were derived were chiefly Portuguese,—a fact which, from the circumstance of goods imported from Portugal paying so much less duty than those brought in foreign bottoms, indicates clearly greater general commercial activity.

Attempts have likewise been made, both in this vicinity and at Mossamades, to manufacture sugar from the cane, which grows abundantly in these regions; but, from the want of machinery and of persons skilled in the process, they have, as yet, produced only a few small samples; which, however, were such as to make it the more to be regretted that so valuable a production should have been hitherto entirely neglected. An experiment to distil agoardente has succeeded better.

Your Lordship may remember that a line of steamers, to run every three months from Lisbon to this port, was announced by the Portuguese Government. Accordingly the steamer "*Infante Dom Luiz*" came out early in the year, but the ill success of the first voyage hardly warranted the hope of a regular continuance of the undertaking; and, as yet, it has been followed by no other, though the arrival of a second has been long expected. If the plan which has been suggested of establishing a branch steamer to run between this port and Fernando Po, in connexion with the British line to that island, could be carried out, it might have a very sensible effect towards civilizing the intermediate shores, and, by introducing and augmenting lawful commerce among the natives, raise a further, and eventually an effectual, barrier to the revival of the Slave Trade.

In adverting to the proceedings connected with the naval branch of our Report, the first subject in order, if not in importance, which presents itself on a review of the past year, is the question which arose between the provincial authorities and the Commandant of the Portuguese naval station, Captain Manoel Thomas da Silva Cordeiro, respecting the maintenance and retention of the squadron to its full complement, which was followed by the withdrawal of that officer to the Islands of St. Thomas and Princes (whence he repaired to the coast of Guinea), and the arrival of Captain Graça, in the month of March,

to supersede him. A change of vessels subsequently took place, the brig "Serra do Pilar" having been substituted for the corvette "Oito de Julho," which returned home in September; and by this change a reduction of the force, though not in the number of the squadron, has occurred.

The former vessel, with the exception of one short cruise, has remained constantly in port; the only effective cruiser which the Portuguese can be said to have on this station being the brig "Corimba," formerly a slaver, and a very good sailer, but during the past year, her frequent cruises do not appear to have produced any particular result.

In the month of May, Commander Foote, of Her Majesty's steam-sloop "Prometheus," arrived from the Congo, bringing in a palhabote, detained by him on suspicion in that river, where he stated they had commenced building small craft (of which this palhabote was one) that he suspected to be intended for the Slave Trade. She had no slave equipment, and was delivered over by Commander Foote to the Governor-General, for the purpose of ascertaining whether she were Portuguese property, as alleged, and upon proof of this fact, she was eventually restored to her owner. These small vessels were thought to be destined to convey slaves to Cuba, a service for which it might have been supposed their dimensions would have disqualified them, but in the opinion of the commander-in-chief of Her Majesty's squadron, it appears such would not be the case.

We have not, however, subsequently heard anything to confirm the above suspicion, though it is now beyond a doubt that efforts have been making for some months past to procure a supply of slaves from this coast for the Cuban market.

That made by the vessel captured in May, by Her Majesty's steam-sloop "Firefly," was probably the commencement of this new enterprise.

The brig "*Gallina*," taken by Her Majesty's sloop "Waterwitch," as well as a schooner of about 80 tons, called the "*Advance*," captured by the United States corvette "Germantown," certainly belonged to it. This last, partially equipped as a slaver, was sent to the United States for adjudication. She was about the same size, belonged to the same firm (a French house at New Orleans, of the name of Kraft), and sailed from the same port, Baltimore, as a schooner called the "*General de Kalb*," which appeared on this coast in October, and which has been in and about the Congo ever since, with the avowed intention of shipping slaves.

The mate of this vessel is said to be an Englishman of the name of Wallace, and to have been in the "Wilberforce," in the Niger expedition.

The "*General de Kalb*," and a brig, also American, of 121 tons, called the "*Silenus*," of New York, have been repeatedly boarded by Her Majesty's cruisers, and there can be no doubt whatever of the object of their voyage. The latter, the "*Silenus*," arrived here from New York by the Cape de Verds in March, sailing again for St. Thomas the month following, and returned to this coast bound to Ambriz and Loanda, consigned to Francisco Antonio Flores, the individual who was the subject of Commodore Bruce's representation to this Government in August last, but she has not as yet re-entered this port.

The proceedings of the French and American squadrons on this coast during the past year require no particular notice.

Both Commodores, Captain Baudin in the French steamer "El Dorado," and the American, Captain Lavalette in the "Germantown," anchored in this harbour for a few days in September, but neither of them proceeded further south; besides these, other men-of-war, as well French as American, have occasionally visited it; but no vessel, under either flag, of a suspicious character had made her appearance in this quarter previously to those above-mentioned.

Her Majesty's ship "Penelope," bearing the broad pendant of the commander-in-chief, was at Loanda about the same time, but the respective commodores missed each other by a few days.

Since then, as is known to your Lordship, Commander Wilmot, of Her Majesty's sloop "Harlequin," having become senior officer of the southern division, has visited the Kings of Ambriz, Cabinda, and Loango, with a view of proposing to them to sign treaties binding them to give up the Slave Trade; in which purpose, however, he failed, though the communications which passed

between Captain Wilmot and the respective chiefs may possibly be turned to account at some future day.

It is, indeed, of the utmost importance that the former of these places, Ambriz, be vigilantly watched, there being no less than eight Portuguese factories still established there, so closely connected with the native chiefs, and so entirely at their mercy, although in fact reciprocally playing into each other' hands, that on Captain Wilmot's departure these factories were beset, and property to the amount of 1500 mil-reis extorted from them by way of compensation to the chiefs, as the assailants declared, for their refusal to sign the Treaty and accept the terms offered them by the English, whom they threatened to recall, saying, "they are still in the offing,"—if they, the factor, hesitated to submit to this forced contribution.

We must not conclude this Report without mentioning an occurrence which has marked the past year, and from which, my Lord, we would fain have hoped that the cause of the extinction of slavery, both foreign and domestic, in this province, would have been in some degree advanced; we allude to the presence of a bishop (a benefit of which this province has for years been deprived), who arrived here from Portugal last spring, accompanied by several clerical attendants, to reside in this diocese; but we regret to say, that as yet we can perceive no symptoms of improvement in this respect, whether as regards the reprobation of the system itself, or the suggestion of any measures whereby the civilization of its benighted victims might be promoted, and their present unhappy condition somewhat ameliorated.

We have, &c.

Signed) GEORGE JACKSON.
EDMUND GABRIEL.

No. 57.

Her Majesty's Commissioners to the Earl of Malmesbury.—(Received May 4.)

My Lord, *Loanda, January 31, 1853.*

WE had hardly closed our preceding despatch when reports were circulated that the American vessels mentioned therein—the brig "*Silenus*" and schooner "*General de Kalb*"—had each shipped a cargo of slaves between this and the Congo; and, we regret to say, that Commander Bonham, of Her Majesty's sloop "Crane," who arrived here yesterday from St. Helena, and who spoke Her Majesty's brigantine "Spy" off this port, confirms the statement.

The brig it appears, which had been boarded on the 3rd instant by Her Majesty's sloop "Harlequin," succeeded on the following day, by the aid of some 16 or 17 launches, which put off at the same moment, in embarking, in less than two hours, a cargo of upwards of 600 slaves from the beach at Ambriz, with which she unfortunately got clear off, though she seems to have run great risk of falling in with the "Spy," which was making for the land at the same time, and must inevitably have come across the American had the latter not suddenly changed her course on the appearance of a strange sail, and stood along the shore to the northward.

The schooner "*General de Kalb*," which was seen off Ambrizette at the end of the year by the "Spy," and whose captain repeatedly and openly boasted of his intention to transfer his vessel to the slave-traffickers for the purpose of shipping slaves in spite of the cruizers, soon afterwards—the precise date we have not heard—carried off 300 from a point called Cabeça de Cobra, a well-known spot between Ambrizette and Point Padrã.

It would be superfluous for us, my Lord, to point out to your Lordship how much this occurrence is specially to be lamented at this particular moment; for, whatever may be the destination of these slavers—whether to the Brazils or to Cuba, as is most probable—it is evident that the success of the undertaking must have the worst possible effect in reviving those expectations, on the part of slave-traffickers, of its being still possible for them to continue their nefarious pursuit, which, but for the fresh impetus it has now

received, they would probably soon have been constrained to abandon as hopeless.

But a still more important consideration is the reappearance of the United States flag in Slave Trade adventures on this coast, to the abuse of which the exertions of Her Majesty's cruizers and those of the American squadron, in the year 1850, had put, it was hoped, a permanent stop.

It is singular that this scandalous proceeding should have taken place just at the moment when two American brigs-of-war, the "Bainbridge" and "Perry," have arrived at Loanda.

The former anchored here on the 1st of January from Mayumba, but without, as it should seem, calling off Ambriz. On the 8th, on a representation from Commander Wilmot, the senior officer of this division, she sailed thither, but it was then too late, and she continued her voyage to St. Helena, whence she is to proceed to the rendezvous at Cape Verds.

The "Perry," which had returned home, and has been recommissioned by Lieutenant Page, arrived here on the 23rd, direct from Anno Bom, but in her passage down did not see a single sail. Lieutenant Page's present intention is to proceed south in the first instance, and to remain some time on this coast.

We have, &c.
(Signed) GEORGE JACKSON.
EDMUND GABRIEL.

No. 58.

Her Majesty's Commissioners to the Earl of Malmesbury.—(*Received May* 9.)

My Lord, *Loanda, February* 7, 1853.

ON the news reaching Loanda of the capture by Her Majesty's sloop "Waterwitch" of the Spanish brig "*Gallina*," and of the landing of her master previous thereto with a large sum of money, the acting Governor-General despatched the schooner-of-war "Conde do Tojal," with instructions to the several authorities at Benguella and along the coast to keep a strict look out, and while instituting the closest investigation into the whole transaction, to endeavour, if possible, to secure such of the crew as had landed before the "Waterwitch" took possession of her prize.

The "Conde do Tojal" returned to this port on the 28th ultimo from Novo Redondo, having on board 14 Spaniards, part of the crew of the brig "*Gallina*," whom Captain Gardner had landed with the consent of the Portuguese commandant at Quicombo.

It appears Captain Gardner was desirous of delivering them into the hands of the officer in command of the Portuguese fort at Novo Redondo, but on his refusal to receive them, except as prisoners, Captain Gardner declined to leave them with him as such, and eventually induced the Commandant at Quicombo, off which place the capture had been made, and with whom he had communicated immediately afterwards, to consent to their being landed unconditionally at that spot.

On the disappearance of the "Waterwitch," these Spaniards became so turbulent as to make it necessary to apply to Novo Redondo for assistance, on the arrival of which they were secured and carried thither as prisoners.

Their depositions were then taken, and various persons belonging to Quicombo and the vicinity were examined, but nothing was elicited tending to show the slightest connection between these Cuban adventurers and the inhabitants on shore; nor was anything said to be known of the other individuals who had escaped from the "*Gallina*."

In the interval several of the crew had died, and the survivors, to the number of 14 or 15, were at once put on board the "Conde do Tojal" and brought to Loanda.

On their arrival the opinion of the Delegado (Law Officer of the Crown) was taken as to any proceedings which it might be possible to institute against them; and on a review of all the circumstances of the case, he declared that they could not be subjected to any legal process, and that, moreover,

the master, should he perchance be discovered, could not be detained in custody.

On this the Governor-General has decided on sending them to Lisbon, with a full statement of every particular to the Minister of Marine and Ultramar, on board the "Mondego," a Portuguese man-of-war, which happens to be at this moment in port, on her return home from Macao.

We have, &c.

(Signed) GEORGE JACKSON.
EDMUND GABRIEL.

No. 59.

Her Majesty's Commissioners to the Earl of Malmesbury.—(Received May 6.)

My Lord, *Loanda, February 12, 1853.*

AS a sequel to our preceding despatch, we have the honour to inform your Lordship that the late captain of the Spanish brig "*Gallina*" arrived here the day before yesterday from Ambriz, and that after endeavouring to obtain a passport under a feigned name, through the instrumentality of an inhabitant of this city, already but too well-known as connected with Slave Trade transactions, who offered to become his surety, he, the captain, finding that his identity was likely to be established, went voluntarily before the authorities and acknowledged it.

On this the Governor-General decided on sending him to Lisbon, to be delivered over to the Minister of Marine and Ultramar, in the same manner as the rest of the crew already despatched on board the "Mondego" brig of war, and he sailed yesterday in the merchant-brig "*Allianca,*" a regular trader between this port and Lisbon.

We have, &c.

(Signed) GEORGE JACKSON.
EDMUND GABRIEL.

No. 60.

(Her Majesty's Commissioners to the Earl of Malmesbury.—(Received May 6.)

My Lord, *Loanda, February 12, 1853.*

AS Her Majesty's Government will be fully informed, through the regular channel, of the recent proceedings of Commander Wilmot, the senior officer of this division, who sailed hence to the northward in Her Majesty's sloop "Harlequin," on the 13th January last, we shall not enter at large on a subject with which we are as yet but very imperfectly acquainted; but from the importance which the Governor-General and the Commandant of the Naval Station seem to attach to what is said to have passed, we think it right your Lordship should know without delay, that the latter received intelligence two days ago that Commander Wilmot had been to Cabinda, and had invited the King and Chiefs of that territory to sign a Treaty with Great Britain for the abolition of the Slave Trade, to expel all slave-traffickers (specifying particularly the Portuguese), to give up to him, for the purpose of being sent to the British West Indies, all the slaves then existing in the barracoons, and to allow the residence of missionaries in their country.

In case of compliance with these proposals, Captain Wilmot is said to have made certain promises in return; and on the other hand, to have threatened, if they were rejected, to resort to measures of hostility.

These accounts appear to have created considerable sensation among the Portuguese authorities in this city, so much so that the Governor-General caused the departure of a merchant-vessel on the point of sailing for Lisbon to be delayed, to allow him time to send by her a detailed report of the whole transaction, together with copies of the written documents which have been transmitted to his Excellency.

We are, therefore, anxious that your Lordship should have the earliest

notice of such a communication having been forwarded to Her Most Faithful Majesty's Government, and for this purpose we avail ourselves of the immediate sailing of a vessel direct for London, by which we hope this despatch may reach you before the receipt of any representation from Lisbon.

We have, &c.

(Signed) GEORGE JACKSON.
EDMUND GABRIEL.

No. 61.

Her Majesty's Commissioners to the Earl of Malmesbury.—(*Received May* 30.)

My Lord, *Loanda, February* 14, 1853.

WE have the honour to inform your Lordship that the Acting Governor-General has given orders, both at the office of the Secretary-General of this Government, and at that of the police, that the name of the individual referred to in our despatch of the 12th instant, as having endeavoured to obtain a passport, under false representations, for the late captain of the Spanish brig "*Gallina*," should no longer be admitted as surety on any occasion whatever.

This decision, though its enforcement may perhaps be attended with some little inconvenience to the person in question in his mercantile transactions, is certainly a very inadequate punishment for so barefaced an attempt on the part of one of the principal residents of this city,—himself a member of its corporation,—to screen an offender notoriously engaged in violating the laws both of his own country and of Portugal; but we understand his Excellency accounts for his unusual forbearance on this occasion upon the ground that he became acquainted with the deceit, which it was attempted to practise on him, through a private and confidential communication.

The two Portuguese commandants at Novo Redondo and Quicombo have been dismissed from their respective posts, it not being expedient for the public service (as the "Portaria" declares) that they should continue to hold them any longer.

His Excellency informed us that he had taken this step because, although the result of the inquiry instituted into the whole of the transaction in question had not shown any connexion between the "*Gallina*" adventurers and the shore, as we have already had the honour to report to your Lordship, nor established any positive proof of criminality on the part of the aforesaid officers, he yet felt but little moral doubt that they were more or less implicated in what had occurred since the appearance of the "*Gallina*" on that part of the coast under their particular charge; and that, consequently, it was proper to appoint some other officers to succeed them.

It was, however, very difficult to select fit persons, the unhealthiness of the climate and the scanty allowances made to the commandants of Novo Redondo and Quicombo deterring any one that could be depended upon from accepting the appointments.

So true is this, my Lord, that we feel convinced that until Her Most Faithful Majesty's Government shall decide on holding out some inducement, pecuniary or otherwise, to officers stationed at those ports, we can never expect to find them filled so as to secure the zealous execution of such laws and instructions as may be issued for the suppression of the Slave Trade; a consideration which deserves the more attention, when it is remembered that that particular locality has been all along a favourite haunt of the slave-traffickers, and that from its isolated situation it becomes a matter of greater difficulty to know what is really going on there, and to detect any malpractices which may be attempted.

We have, &c.

(Signed) GEORGE JACKSON.
EDMUND GABRIEL.

No. 62.

Her Majesty's Commissioners to the Earl of Malmesbury.—(Received May 30.)

My Lord, *Loanda, February 21, 1853.*

WE have the honour to inform your Lordship that a change in the Government of this province has just occurred, the late Commandant of the Naval Station on this coast, Captain Antonio Ricardo Graça, having, in virtue of a Royal Decree, dated 24th November, 1852, which reached this city on the 15th instant, superseded the late Acting-Governor Antonio Sergio de Souza as *ad interim* Governor-General of this province.

The latter officer is ordered to return to Lisbon immediately, and for the present no other Commandant of the Naval Station in the place of Captain Graça is named, the officer next in seniority acting under his immediate orders.

We have, &c.
(Signed) GEORGE JACKSON.
EDMUND GABRIEL.

No. 63.

Her Majesty's Commissioners to the Earl of Malmesbury.—(Received May 30.)

My Lord, *Loanda, February 22, 1853.*

THE late Secretary-General to this Government, F. J. da Costa e Silva, having been elected one of the Deputies to represent this province in the General Cortes, has, in conjunction with the other member, Simão José da Luz, *ci-devant* Under-Secretary of State in the Ministry of "Marinha e Ultramar," caused a letter addressed by them to the head of that department to be published in the "Boletim Oficial" of this city, the object of which is to suggest various measures for the improvement of the actual state of this province.

This representation is dated 30th October, 1852, and may possibly have been already brought under your Lordship's notice; though whether it has appeared in print at Lisbon, seems doubtful.

Assuming the Traffic in Slaves in the province of Angola to be extinct, the letter proceeds to point out the necessity of creating within its limits produce for exportation to meet that of the import trade.

Into the greater part of the suggestions with which this representation abounds, it is unnecessary for us to enter; but it contains one paragraph which, with reference more particularly to the present state of things, appears to us so material that we have made a careful and exact translation of it, which extract we have the honour herewith to subjoin.

We have, &c.
(Signed) GEORGE JACKSON.
EDMUND GABRIEL.

Inclosure in No. 63.

Extract of a Letter addressed to the Department of Marine and Ultramar by the Deputies from Loanda to the General Cortes.

(Translation.)

WE further entreat that without loss of time the so-much-desired occupation of Ambriz be carried into effect. We do not dwell—one of us having already done so verbally—on the evils which the contraband trade of Ambriz occasions to the commerce of Loanda; this would carry us too far; but it is certain that unless a remedy be found for such mischief the receipts of the Loanda Custom House must continue gradually to fall off, and thus by the diminution of the principal source of public revenue, the payments to run in arrears, whence would result the worst consequences for a settlement dependent, as is Loanda, on a garrison composed principally of convicts.

No. 64.

Her Majesty's Commissioners to the Earl of Malmesbury.—(*Received May* 30.)

My Lord, *Loanda, March* 7, 1853.

WITH reference to our despatch of the 12th ultimo, we have the honour to inform your Lordship, that we received from Captain Wilmot, a few days after writing that despatch, an official communication—"that Treaties with Great Britain for the total abolition of the Slave Trade, as well as for other purposes of civilization and commerce, were signed by the King of Tanga and Cape Lopez, at the former place, on the 2nd February, and by the King of Cabinda on the 11th February."

We have already made your Lordship acquainted with the sensation which the receipt of that intelligence produced among the authorities at this place. Captain Antonio Sergio de Souza, who was then at the head of the Government, immediately despatched the schooner-of-war "Conde do Tojal" to Cabinda.

How far the announcement which has just appeared in the "Oficial Boletim," and of which we have the honour to subjoin herewith a translation, is to be traced to the orders of which the "Conde do Tojal" was the bearer, we cannot positively say; although from the wording of it, it might fairly be inferred that such was the case; and it is certain that the deputation referred to in this Boletim, had not left Cabinda when that vessel arrived there; but, on the other hand, it is said that the determination to appoint it had previously been taken.

At all events it would seem that the views which dictated the step of at once sending a Portuguese man-of-war to Cabinda, have been fully adopted by the present Acting Governor-General, who immediately after his installation, despatched the "Corimba" brig of war to the northward, and, in the first instance, to Ambriz, where, according to accounts just received, her commander landed between 30 and 40 of his crew armed, and burnt two huts, or barracoons, in which they say they found boilers and shackles.

Such is the Portuguese statement of this affair, but no official account of it has been published; and others which we have heard represent it as a very trifling matter,—that, in fact, the whole thing was got up to make a show, and that the indications of Slave Traffic alleged to have been discovered in these huts were nothing more than some worn-out articles which the crew had themselves previously deposited there.

However this may be, it is only right that we should state that nothing can be more satisfactory than the language of Captain Graça on the subject of Slave Traffic.

He expresses himself, and we really believe sincerely, as holding it in personal abhorrence, and as determined to do everything in his power to prevent any revival of it in this province. With this view his Excellency has just addressed a circular to the several sub-Governors and Chiefs, of which the inclosed extract is a free translation.

The warning held out to private individuals in this paper, is meant, probably, more particularly for Francisco Antonio Flores, to whom the American brig "*Silenus*," which recently shipped slaves at Ambriz, was consigned, and against whom his Excellency has declared that proceedings should be instituted, if proof were afforded of his having been concerned in that transaction.

We have, &c.
(Signed) GEORGE JACKSON.
EDMUND GABRIEL.

Inclosure 1 in No. 64.

Extract from the "Boletim Oficial."

Loanda, March 5, 1853.

BY official reports from the commander of the schooner-of-war, "Conde do Tojal," it is known that the King of Cabinda, the Governor of Porto Rico, and other authorities and people of these

territories, over which Her Most Faithful Majesty has reserved rights, entertain the best and firmest spirit of adhesion and submission to Her Majesty the Queen, and to the Portuguese authorities, which we have the satisfaction to announce.

We also further announce that the Government of this province has received a deputation, which came in a small boat from Cabinda, sent by the King and the Governor of Porto Rico, which presented to his Excellency the Governor-General a missive, signed by them and other Chiefs (Magnatas) of the country, declaring that they and the people whom they represent respect and recognize the authority of the Crown of Portugal alone, as all their ancestors have recognized and respected it.

Inclosure 2 in No. 64.

Circular Order of the Governor-General to the Subordinate Authorities.

THE Governor-General of the province recommends to you the most rigorous observance of the orders already repeatedly given respecting the strict execution of the laws in force for the abolition of Slave Traffic.

His Excellency, in virtue of the reiterated positive orders of Her Majesty touching this important object, makes known that he will punish with the utmost rigour of the laws, not only any employé who shall be proved to have connived at so abominable and nefarious a crime, but even those also who may show themselves remiss in the execution of their duties; and that he will likewise prosecute before the competent tribunals all such individuals as may be found attempting to infringe the aforesaid laws, confidently hoping that he shall not be under the necessity of giving the first example of severity, but that all directing their efforts to the promotion of legal commerce and agriculture—the only source of prosperity for this province,—will apply to these two important branches the capital which has hitherto been employed in the abominable traffic in human flesh, fully assured that they will be well and amply remunerated for whatever efforts they may make in this direction.

No. 65.

Her Majesty's Commissioners to the Earl of Malmesbury.—(Received May 30.)

My Lord, *Loanda, March 23, 1853.*

NOT having had the honour of receiving any instructions in answer to the inquiries which this Commission took the liberty of submitting to the consideration of Her Majesty's Principal Secretary of State for Foreign Affairs on the 10th December, 1850, and the 12th August of last year, we have deemed it advisable to abstain from any communication with the Acting Governor-General, respecting the late proceedings of Her Majesty's cruizers to the northward of this port; and if we mention the great uneasiness evinced by this General Government respecting them, shown among other things by its immediately ordering the only three really efficient vessels of which the squadron of Her Most Faithful Majesty on this station consists, namely, the brigs "Serra do Pilar" and "Corimba," and the schooner "Conde do Tojal," to Ambriz and Cabinda: it is rather that your Lordship may not suppose us to feel less alive to what is passing than we ought to be, than with any view of entering at large into a matter, every particular of which Her Majesty's Government will be most fully informed of by the reports of her naval officers.

We cannot, however, allow ourselves altogether to dismiss the subject without respectfully insisting on the very great importance of taking prompt measures,—with or without the co-operation of Portugal,—with a view to putting an end to the uncertain state of things, the revival of the pretensions of this General Government gives rise to, and to the encouragement which those who wait only for an opportunity to renew their Slave Trade speculations will not fail to derive from it.

This is the more necessary, as the extent and daring of the Cuban adventures would seem to be greatly on the increase; and if, after what has lately taken place at Ambriz and Cabinda, we shrink from enforcing our views for the extinction of the Traffic along that part of the coast, whether in concert with, or in defiance of, the native Chiefs, it would have been far better to have desisted altogether from any attempts such as those we have recently been engaged in.

We have, &c.

(Signed) GEORGE JACKSON.
EDMUND GABRIEL.

No. 66.

Her Majesty's Commissioners to the Earl of Malmesbury.—(*Received July* 6.)

My Lord, *Loanda, April* 11, 1853.

PERCEIVING in the despatch of Her Majesty's Minister at Rio de Janeiro, dated 14th July, 1851 (No. 138, Class B, Parliamentary Papers, to March, 1852), that Mr. Hudson states, that he had placed the original papers of the Sardinian schooner "*Valoroso*" on file in the Chancery of Her Majesty's Legation at that Court; and that, among the papers so filed, are various letters, implicating several persons resident at this place, particularly the notorious slave-trafficker, F. A. Flores, whose presence at Loanda the respective Governors of this province have severally declared themselves under the necessity of tolerating, because he was residing here under a special license from Her Most Faithful Majesty, and because no positive proof of his complicity in Slave Traffic had been adduced against him; we take the liberty of suggesting, that the expulsion of this individual from this province, where he has to the last persisted in setting all laws against Slave Trade at defiance, might be claimed from the Government of Her Most Faithful Majesty in such a way, and on such incontrovertible grounds, as that Government would be unable to resist or evade, if the original documents in question were laid before them by Her Majesty's commands.

Other individuals, no less known as heretofore, engaged in Slave Trade transactions, also figure in the list of papers found in the possession of the master of the "*Valoroso,*" Jacinto Derizans; and places and circumstances are named, establishing the identity and the guilt of the parties too clearly to admit, as it should seem, of denial or refutation.

The practical and moral benefit in the rooting-out of the last hold of Slave Trade in this locality, which would result from the punishment of these individuals, is too evident to make it necessary for us to enlarge further on the subject.

We have, &c.

(Signed) GEORGE JACKSON.
EDMUND GABRIEL.

No. 67.

Her Majesty's Commissioners to the Earl of Malmesbury.—(*Received July* 4.)

My Lord, *Loanda, April* 15, 1853.

WE have the honour to inform your Lordship, that the Acting Governor-General has acquainted us that, on the 31st ultimo, the Portuguese brig-of-war, "Serra do Pilar," burnt a barracoon with slave equipments, situated at a point to the north of Loango, called Landaun; and that, on the preceding day, she sighted a patacho making for that spot, to which she gave chase, but was unable to come up with her; and that, on the 31st, the patacho having reappeared, was again chased, but that night coming on, she was lost sight of, and has not again made her appearance.

This patacho was under Spanish colours, and we understand that a vessel answering the description of that above referred to, has also been seen by Her Majesty's cruisers to the northward.

We have, &c.

(Signed) GEORGE JACKSON.
EDMUND GABRIEL.

No. 68.

The Earl of Clarendon to Her Majesty's Commissioners.

Gentlemen, *Foreign Office, July* 14, 1853.

I HAVE received your despatch of the 11th of April, referring to a list of papers inclosed in Mr. Hudson's despatch from Rio de Janeiro of the 14th of July, 1851, by which it appears that two original papers have been deposited in the archives of His Majesty's legation at Rio de Janeiro, containing evidence that a person named F. A. Flores, who you state is now established at Loanda, was in 1850 corresponding upon matters relating to Slave Trade with Jacinto Derizans, the master of a slave vessel.

I have to acquaint you that I have directed Her Majesty's Chargé d'Affaires at Rio de Janeiro to transmit to this office certified copies of the above-mentioned papers, and also of any of the other letters mentioned in the same list which may contain evidence sufficient to prove that other persons belonging to the province of Angola, besides Flores, have been concerned in Slave Trade; and on receipt of the documents in question, Her Majesty's Government will be enabled to judge as to the nature of the representations which it may be proper to address to the Portuguese Government with regard to the persons mentioned therein.

I am, &c.
(Signed) CLARENDON.

No. 69.

The Earl of Clarendon to Her Majesty's Commissioners.

Gentlemen, *Foreign Office, August* 11, 1853.

I TRANSMIT herewith for your information, and for any observations which you may have to make thereupon, a copy of a despatch* which I have received from Her Majesty's Minister at Lisbon, inclosing a copy of the Portuguese Official Journal of the 13th ultimo, which contains the report of a discussion in the Portuguese Chamber of Deputies with regard to the rights of sovereignty claimed by Portugal over that portion of the west-coast of Africa which lies between the 5th degree 12′ and the 8th degree of south latitude.

I am, &c.
(Signed) CLARENDON.

No. 70.

Her Majesty's Commissioners to the Earl of Clarendon.—(*Received October* 4.)

My Lord, *Loanda, July* 1, 1853.

WE have the honour to report for the information of your Lordship, that there have been no cases adjudicated in the British and Portuguese Court of Mixed Commission established in this city during the last half-year.

We have, &c.
(Signed) GEORGE JACKSON.
EDMUND GABRIEL.

No. 71.

Her Majesty's Commissioners to the Earl of Clarendon.—(*Received October* 26.)

My Lord, *Loanda, July* 22, 1853.

YOUR Lordship will be pleased to hear that another of the Cuban slavers has fallen into the hands of Her Majesty's squadron on this coast.

* See Class B, No. 304.

On the 31st May, Lieutenant Jolliffe, of the "Myrmidon," captured off Banda Point a schooner named "*Maria*," with a crew of 24 men, but no colours or papers, fully prepared to receive slaves. She was built at Baltimore, fitted out at New Orleans, and proceeded thence to Cuba, sailed from the Havana on or about 13th March last, and subsequently took on board her slave equipment at one of the keys.

Lieutenant Jolliffe sent his prize to St. Helena for adjucation.

We have, &c.

(Signed) GEORGE JACKSON.
EDMUND GABRIEL.

No. 72.

Her Majesty's Commissioners to the Earl of Clarendon.—(*Received October* 26.)

My Lord, *Loanda, August* 8, 1853.

YOUR Lordship will probably long ere this have become acquainted with the "Portaria," under date of the 9th February, 1853, by which Her Most Faithful Majesty was pleased to order the dismissal of J. L. X. de Bulhoes Maldonado from a situation to which he had been appointed by the late Acting Governor of this province, A. S. de Souza; but as this appointment formed the subject of our despatch of the 13th September, 1852, and of the Earl of Malmesbury's reply thereto, we have thought it right—the "Portaria" in question having been published in the "Oficial Boletim" of this city—to make a translation of the same, which we have the honour to inclose herewith.

We have, &c.

(Signed) GEORGE JACKSON.
EDMUND GABRIEL.

Inclosure in No. 72.

"*Portaria.*"

(Translation.) *Palace, February* 9, 1853.

HER Majesty the Queen having become acquainted by the Bulletin of the 21st of August of last year that the Acting Governor of the province of Angola, Antonio Sergio de Souza, had, on the 14th of that month, appointed to the situation of Clerk of the Corn Market of Loanda J. L. X. de Bulhoes Maldonado, who, by a Portaria of the 11th December, 1846, had been dismissed by the then Governor-General, P. A. da Concha, from the office of Secretary of the Mixed Commission, which he was considered unworthy to fill; and it being consequently irregular and contradictory that he should continue to hold office so long as he shall not have fully cleared himself of the accusations then brought against him; orders by the Ministry of Marine and Ultramar that the now Acting Governor dismiss the above-mentioned J. L. X. de Bulhoes Maldonado from the aforesaid situation, and that he do not again employ him so long as he shall not fully and publicly clear himself from those charges which occasioned his dismissal at the time in question.

(Signed) A. A. J. D'ATHOUGUIA.

No. 73.

Her Majesty's Commissioners to the Earl of Clarendon.—(*Received October* 26.)

My Lord, *Loanda, August* 18, 1853.

WE have the honour to inform your Lordship that a Portuguese schooner —palhabote—anchored in this harbour on Monday, the 8th instant, in charge of Mr. Kidd, acting mate of Her Majesty's ship "Spy," Lieutenant Beresford commanding, by whom she was seized on the 4th day of June last, being off Ahgwey, in latitude 6° 12′ north, longitude 1° 40′ east of Greenwich, for having violated the Treaty between Great Britain and Portugal for the suppression of the Slave Trade.

Mr. Kidd waited on Her Majesty's Commissioners on the day of his arrival in this port, and on the afternoon of the 10th addressed the letter of which the inclosed is a copy to the Secretary of the Commission.

On the following day the Court met for the adjudication of the "*Aguia*," and at once proceeded to the nomination of a Marshal and Interpreter *ad hoc*, and to other preliminary business, which we shall have the honour to report to your Lordship in due course, together with every particular of this case, on which it is at this moment assiduously engaged. In the meantime we transmit by this opportunity, in addition to the above letter, a copy of Lieutenant Beresford's declaration.

We have, &c.
(Signed) GEORGE JACKSON.
EDMUND GABRIEL.

Inclosure 1 in No. 73.

Mr. Kidd to the Secretary of the Mixed Commission.

On board the Portuguese vessel "Aguia," *at St. Paul de Loanda,*
Sir, *August* 10, 1853.

I HAVE the honour to state to you that I have brought into this harbour for adjudication before the Mixed British and Portuguese Commission, the Portuguese vessel "*Aguia*," detained by Henry Barré Beresford, Lieutenant commanding Her Britannic Majesty's brigantine "Spy," on suspicion of being engaged in the Traffic in Slaves, in contravention of the Treaty between Great Britain and Portugal of the 3rd July, 1842.

With a view, therefore, to the necessary steps being taken for the prosecution of the aforesaid vessel, I beg leave to place in your hands the following documents, viz.:—

1st. Authentic declaration of captor, setting forth the grounds of seizure. Marked A.

2nd. A tin case containing papers found on board at time of seizure, and duplicate of certificate signed by captor respecting the same. Marked B.

3rd. Certificate of captor relative to the desertion of the crew of vessel seized. Marked C.

4th. Certificate of captor relative to money and valuables found on board at time of seizure. Marked D.

5th. An affidavit of the prize officer, marked E, made up with papers and documents found on board after seizure.

6th. Affidavit of the prize officer, marked F, respecting consumption of provisions, &c., during the voyage to this port.

I have, &c.
(Signed) JOHN OUGHTON KIDD,
Acting Mate H. M.'s brig "Spy," and Officer in charge of the prize schooner "Aguia."

Inclosure 2 in No. 73.

Declaration.

I, THE Undersigned, H. B. Beresford, holding the rank of Lieutenant in Her Britannic Majesty's navy, and commanding Her Majesty's ship "Spy," duly authorized by the Treaty between Great Britain and Portugal, dated the 3rd July, 1842, for the suppression of the Slave Trade, do hereby declare that, on the 4th day of June, 1853, being off Aghwey, in latitude 6° 12′ north and longitude 1° 40′ east of Greenwich, I seized the "*Aguia*," whereof Antonio Alves de Amorim is master, for having violated the said Treaty; and I further declare, that the vessel had on board at the time of seizure a crew of 14 persons, 1 passenger, and no slaves.

And I do also declare that I found this vessel in the following state:—

The hold divided into four compartments, the after-part having a few boxes and some bags of farinha in it, the next part containing a very large quantity of Indian corn—far more than could have been required for her crew; the next a very large quantity of matting, larger than was necessary for the use of the crew; also a cask or two of palm oil; also a large empty cask, and an immense quantity of firewood, and the foremost part quite clear, and laid out with mats, as if for the reception of slaves. There was also on her upper deck a large quantity of firewood and several hundred calabashes.

I also declare, that when boarded by me on the 7th of May last, she had part of a cargo of palm oil, and was then collecting that article, and that the master then stated that he intended to take a cargo of palm oil on board.

On boarding her the second time, I found he had discharged all his palm oil, except one or two casks, and had taken the above-mentioned illegal cargo on board. I also observed a very large cask in a canoe alongside which was landed.

Under these circumstances I considered it my duty to seize her.

Given under my hand this 4th day of June, 1853.

(Signed) H. B. BERESFORD,
Lieutenant Commanding H. M.'s brig "Spy."

No. 74.

The Earl of Clarendon to Her Majesty's Commissioners.

Gentlemen, *Foreign Office, November* 25, 1853.

I TRANSMIT herewith for your information, a copy of a letter* which I have received from Count Lavradio, the Portuguese Minister at this Court, respecting a license which has been granted by the Portuguese Government to a proprietor at Benguela, named de Souza e Almeida, permitting him, under certain conditions, to convey negroes from Benguela to Prince's Island.

I inclose also for your guidance a copy of the answer† which I have returned to Count Lavradio, and I have to instruct you to furnish Her Majesty's Government with any information which you may be able to obtain with regard to M. de Almeida's proposed undertaking.

I am, &c.
(Signed) CLARENDON.

No. 75.

The Earl of Clarendon to Her Majesty's Commissioners.

Gentlemen, *Foreign Office, November* 28, 1853.

WITH reference to my despatch to you of the 14th of July, respecting the statement contained in your despatch of the 11th of April last, showing that a Brazilian subject named Francisco Antonio Flores, now resident at Loanda, is employing his great wealth for the revival of the Slave Trade; I transmit herewith, for your information, copies of two despatches which I have received from Her Majesty's Minister at Lisbon, and of one which I have addressed to him, respecting the expulsion of Francisco Antonio Flores from Loanda.‡

I have to call your attention to that part of Viscount d'Atouguia's letter to Sir Richard Pakenham of the 4th instant, in which his Excellency promises that, if it should be shown by any act of Flores that he contributes to the revival of the Slave Trade, the Portuguese Government will either oblige him to quit Angola or will punish him; and I have to instruct you to cause the strictest watch to be kept over the proceedings of this man, in order that Her Majesty's Government may be enabled, when the case arises, to claim the fulfilment of the above promise of the Portuguese Government.

I am, &c.
(Signed) CLARENDON.

No. 76.

Lord Wodehouse to Her Majesty's Commissioners.

Gentlemen, *Foreign Office, December* 12, 1853.

I AM directed by the Earl of Clarendon to transmit to you herewith, for your information, a copy of a correspondence§ which has passed between his Lordship and Count Lavradio, the Portuguese Minister at this Court, respecting the proceedings of Commander Wilmot, of Her Majesty's ship "Harlequin," in negotiating Treaties with the King and Chiefs of Cabinda and of Ambriz in February last.

I am, &c.
(Signed) WODEHOUSE.

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* See Class B, No. 321.
† See Class B, No. 337.
‡ See Class B, Nos. 311, 316, 322, 332.
§ See Class B, Nos. 313 and 340.

No. 77.

Her Majesty's Commissioners to the Earl of Clarendon.—(Received December 26.)

(Extract.) *Loanda, October* 18, 1853.

WE have the honour to inform your Lordship that the Portuguese schooner "*Aguia,*" whose detention was reported in our despatch, has been restored by sentence of the Mixed British and Portuguese Commission, signed by Her Majesty's Commissioner as overruled.

By the terms of this sentence, bearing date the 6th instant, your Lordship will see that the "*Aguia*" is declared to have no right to compensation on account of any losses, damages, or expenses arising out of her detention; and that, moreover, the master of her is adjudged to pay the costs of suit, together with those of the Interpreter and Marshal, and the expenses incurred by the latter, as well as those occasioned by the survey.

This part of the sentence appears to us to be in itself an anomaly, and indeed the whole proceedings in the case of the "*Aguia,*" from first to last, seem to disclose so much that is deserving of attention, that we shall feel it our duty to lay them before your Lordship in more detail than the importance of the capture itself would otherwise perhaps call for; and, first, we beg leave to notice the time which elapsed between the date of the detention of the "*Aguia,*" 4th of June, and that of her papers being delivered to the Registrar of the Commission, viz., the 10th August, as shown by the letter addressed to him by the prize officer, already before your Lordship; and, secondly, the certificate signed by Lieutenant Beresford, to account for the non-observance of the 4th Article of Annex A.

We cannot but regret the circumstance that a large cask which had been sent off from the shore in a canoe which was alongside the "*Aguia*" when detained, should not have been seized and examined, the more so as all those who have argued in support of her restoration have not failed to turn this circumstance to account.

The restoration of the "*Aguia,*" in manifest contravention, as we conceive, to the Treaty, is the more to be regretted as her owner has for years been known as a notorious slave-trafficker at Bahia, having already had two vessels brought before this Commission for adjudication on suspicion of being engaged in the Traffic in Slaves, one of which was condemned.

Her Majesty's Commissioner had frequent and long conferences with both his Portuguese colleagues on the wording of the 10th section of the 9th Article of the Treaty, in which he endeavoured, but, we are sorry to say, in vain, to enforce and give effect to the distinction which appears to be so clearly laid down between being laden on any particular voyage with what is in itself an unlawful cargo, and the having on board certain articles in such quantity only as may be needed for legal purposes in the prosecution of such voyage.

Your Lordship's better judgment, however, and that of the Law Officers of the Crown, will, on the one hand, rectify, if necessary, the view we have thus expressed of this case; and, on the other, will determine what steps, if that view be correct, it may be proper to take. The only further observations, therefore, with which we would beg leave to trouble you is to point out the pliant readiness—to use no other term—apparent in the proceedings of the Consul of Her Most Faithful Majesty at Bahia in this case; shown, first, in the certificate relative to the sale of the "*Aguia*" in two moieties belonging to different owners, and at different periods, no date however being shown for the latter sale; secondly, in the several "visas," as if to give an irregular validity to her original passport; and, thirdly, in the so-called bond entered into by the parties to comply with the decree of the 10th December, 1836: all which is the more to be remarked as the papers of the two captured vessels above referred to belonging to the same owner, both bore the signature of Senhor Sales as Vice-Consul, authorising a voyage to the ports of the Coast of Africa generally, without specifying even to what part of the coast.

With these preliminary remarks we have the honour to submit the fourteen inclosures herewith annexed, from A to N inclusive, connected with the proceedings in this case, viz.:—

1. Certificate by Lieutenant Beresford of the greater part of the crew having left the vessel.
2. Affidavit of the prize officer as to papers.
3. Affidavit of the prize officer as to the expenditure of provisions, &c., on the voyage to Loanda.
4. Charges laid before the Court by the master of the "*Aguia*" against the prize crew.
5. Report of Lieutenant Jolliffe as surveying officer.
6. Captor's arguments.
7. Claimant's arguments.
8. Bond entered into by the owner and master of the "*Aguia*" at Bahia, in original, with the substance of the same translated.
9. Analysis of the several depositions drawn up by the Portuguese Commissioner.
10. Resumé of the evidence, and preliminary vote given by the Portuguese Commissioner on his view of it.
11. Preliminary vote of the British Commissioner.
12. Preliminary vote of the Portuguese Arbitrator.
13. Final sentence, in original and translation.
14. Report of the case.

The inclosures marked I and J formed one paper, given in by the Commissioner of Her Most Faithful Majesty on the 30th September, but, for greater precision, it has been divided into a resumé of the evidence, and the note which he gave founded on his view of it.

Inclosure 1 in No. 77.

Captor's Certificate respecting the Crew of the Portuguese schooner "Aguia."

I, H. B. BERESFORD, commanding Her Britannic Majesty's ship "Spy," do hereby certify that when the crew of the "*Aguia*" heard that it was my intention to send some of them to St. Paul de Loanda, and that I should transfer the remainder to the "Spy," for the safety of the prize crew, they immediately left the vessel and landed, with the exception of those who are to accompany the vessel for adjudication.

Dated this 4th day of June, 1853.

(Signed) H. B. BERESFORD,
Lieutenant Commanding H. M.'s brig "Spy."

Inclosure 2 in No. 77.

Affidavit of the Prize Officer as to Papers.

IN the business of the Portuguese vessel "*Aguia*," whereof Antonio Alves de Amorim was master;—

Appeared personally, John Oughton Kidd, Mate of Her Britannic Majesty's vessel-of-war "Spy," and made oath, that the documents, letters, and writings hereunto annexed, marked from No. 1 to No. 26, inclusive, were, to the best of his knowledge and belief, all the papers found on board the said vessel at the time of seizure, and that the furthur documents, letters, and writings, hereunto annexed, marked from No. 1 to No. 5, and from No. 1 to No. 30, and from No. 1 to No. 12, also the vessel's log not marked, were, to the best of his belief, all the papers which have since been found on board the said vessel; and that the said further papers were seized at the dates, and under the circumstances as follows, viz.:—On or about the 8th July, folded up in one memorandum book, 1 private letter and 4 accounts, marked Nos. 1, 2, 3, 4, and 5; also more papers and 1 private letter marked from No. 1 to No. 30; also another memorandum book, marked No. 12, containing 2 sealed letters, 5 opened and 4 separate papers marked from No. 1 to No. 11; further, on the 10th August, the vessel's log not marked; and lastly, the said deponent maketh oath that the whole of the said papers, herein referred to and annexed, are now brought and delivered up in the same plight and condition as when received or found by this deponent, without any fraud, addition, subtraction, alteration or embezzlement whatever, save the numbering and marking thereof.

(Signed) JOHN OUGHTON KIDD.

Inclosure 3 in No. 77.

Affidavit of the Prize Officer as to the Expenditure of Provisions, &c., on the voyage to Loanda.

IN the business of the Portuguese vessel "*Aguia*," whereof Antonio Alves de Amorim was Master;—

Appeared personally, John Oughton Kidd, Mate of Her Britannic Majesty's vessel-of-war "Spy," and made oath that the whole of the salt provisions and biscuit, also 2 bags of farinha, 1 bag of coffee, 1 bag and 1 canister of sugar, and a portion of agoardente, and a considerable quantity of firewood were consumed in the voyage to this port. And further, that in consequence of the want of water, caused by the length of the voyage, it was necessary to purchase some from the natives at Mayumba, for which a portion of cloth was given in exchange, this being the article the natives wished in exchange; also, that in consequence of having split the jib during the voyage, and there being no canvas on board to repair the said, an awning was cut for that purpose.

(Signed) JOHN OUGHTON KIDD,
Acting Mate H. M.'s brig "Spy."

Inclosure 4 in No. 77.

Charges laid before the Court by the Master of the "Aguia," *against the Prize Crew, August* 16, 1853.

AT the sittings of the Court this day, the Master of the detained vessel "*Aguia*," Antonio Alves de Amorim, declared that having replied to the questions put to him, he wished now to be allowed to make the following statement: that the English sailors, since the arrival of the "*Aguia*" in this port, have brought on shore some cloths belonging to the cargo which they sold for a dollar each, at the shop of José de Silva in this city, and that he suspects that the prize officer himself took part in these sales,—an act which he considered unlawful and iniquitous, because so long as the vessel was not condemned, her cargo, it appeared to him, should not be meddled with at all, still less for the purpose of arbitrary plunder, against which he solemnly protested, with a view to such acts being duly considered by the Commissioners, in order that they may judge from those acts whether the detention was made out of zeal for the law and the observance of the Treaty, or for a very different object; in confirmation of which statement, he declared that having had on board 3,500 pieces of cloth, he had now scarcely 2,000, in consequence of the above acts.

The Registrar will furnish each of the Commissioners with a certificate of the above statement, for transmission to their respective Governments, as also to the prize officer; which the British Commissioner proposed should be given to him immediately if asked for; to which the Portuguese Commissioner objected, on the ground that it was not the practice of this Count to allow the inspection of any part of the process till the whole was published; but on the former representing that the prize crew were about to be withdrawn, the latter assented to his colleague's proposal; when the claimant's proctor offered to prove the truth of the charge by two ocular witnesses, one of whom was the actual buyer, and the other the Mate of the merchant vessel "*Delfim*," named Souza; but the Court decided that it was not competent to go into this matter, the British Commissioner adding that, in his opinion, neither the charge itself, nor the subject referred to, could form any part of this process.

Inclosure 5 in No. 77.

Report of Surveying Officer.

Her Britannic Majesty's steam vessel "Myrmidon,"
Gentlemen, *at Loanda, September* 2, 1853.

IN compliance with an order from the British and Portuguese Mixed Commission Court established in the City of Loanda, dated the 27th day of August, 1853, I have the honour to report the result of my observations while on the survey held on the Portuguese schooner "*Aguia*," as to her being engaged in the Traffic in Slaves.

At 1 P.M. on the 29th day of August last, I repaired on board the said schooner, shortly after the survey commenced, and continued the four following days, between the hours of 7 A.M. to noon of each day, and concluded this day at 10 A.M.

The hatchways were opened, and pronounced in the same state as when the said schooner was delivered over to the marshal of the Court.

I then proceeded to a careful examination of the vessel; every part was cleared out, and all done as scrupulously as possible, retaining the cargo on board the vessel; and I beg to offer the following answers to the questions put in your order of the 27th of August last.

Answer 1. The "*Aguia*" had four hatchways; one forward, 3 feet 5½ inches by 3 feet 5 inches; main hatchway, 9 feet 1 inch by 4 feet 8½ inches; cabin hatchway, 8 feet 8½ inches by 3 feet 9 inches; after hatchway, 3 feet 9 inches by 2 feet 8 inches; amounting in the whole to about 93 square feet, the main and cabin hatchways large for the size of the vessel. They are all close hatches, and such as are used on board merchant vessels engaged in legal trade.

Answer 2. The "*Aguia*" has one bulkhead before the cabin; one bulkhead forward before the foremast, forming the fore-peak, which are common with merchant-vessels engaged in legal trade.

There is also a partition made of pieces of wood covered over with mats abreast the mainmast, dividing a quantity of Indian corn stowed in bulk, and another partition abaft the foremast, from the keelson to about halfway up to the beams.

Answer 3. There were some planks cut for a second deck, and fitted to rest upon the lockers fixed round the cabin; but no plank in the main-hold.

Answer 4. None.

Answer 5. There are six pipes, capable of containing 118 gallons; two ½ pipes; two small casks; two casks of 18 gallons each; one vessel used as an harness cask; one ditto ditto; one ditto ditto, and five demijohns.

Answer 6. The whole of the before-mentioned casks capable of containing 1065 gallons English.

Answer 7. There are two tubs, together they would contain about 60 gallons; and a great number of calabashes capable of being used as mess-kids.

Answer 8. There is no boiler on board the "*Aguia*," but the cooking apparatus is capable of being made in a short period to cook for any number of men the vessel would carry; and I beg leave to hand in a drawing of the same.

Answer 9. The heating surface of the galley is 720 square inches,—this being three times larger than that used on board Her Majesty's steam-vessel under my command; estimated for eighty men. *Vide* drawing.

Answer 10. Three tons 19cwt. and 17lbs.

Answer 11. Maize, 1723 Portuguese casungeis, or about 800 English bushels. Farina, 20 Portuguese casungeis, or about 8½ bushels English.

Answer 12. One hundred and five coarse mats, equal to 2520 square feet; 65 fine mats, equal to 1560 square feet.

Answer 13. About 500 gallons of palm oil, in four large casks and four small casks.

The firewood is stowed the whole length of the main-hold, was much saturated with palm oil, a considerable quantity of oil must have escaped to cause the wood to be in the state in which it was found.

The measurement of the "*Aguia*" is 92·8 tons British; the calculation I beg leave to hand into Court.

Amongst the water-casks there are three tubs strongly made with five hoops on each, which have been used as harness casks; two containing the remains of salt. I have never seen such; they are made with tugs like a bucket, and have neither lids nor covers or in any way to secure the contents that might be placed there, as is usual in all vessels,—they are such as I have only seen in slave-vessels or barracoons. There is also a set of cooper's tools. A list of the cargo of the "*Aguia*" I have the honour to lay before you.

I have, &c.
(Signed) W. KYNASTON JOLLIFFE,
Lieutenant and Commander H. M.'s steam vessel "Myrmidon."

List of Cargo found on board the Portuguese schooner "Aguia."

Calabashes	150 bundles.
Cocoa Nuts	13 cases. 4 small kegs.
Herbs (supposed for medical purposes)	1 case. 2 bags.
Hides (bullocks')	6
Skins (monkey)	2337
Cloths (African manufacture)	586
Baskets of different sizes (8 sizes African manufacture)	about 500
Palm Oil	about 500 gallons.
Maize	1723 Portuguese casungeis.
Farinha	20 „ „
Mats (African)	coarse 105 fine 65

(Signed) W. KYNASTON JOLLIFFE,
Lieutenant and Commander.

Inclosure 6 in No. 77.

Captor's Arguments.

To the Commissioners of the Portuguese and British Mixed Commission in Loanda.

Loanda, September 15, 1853.

THE Portuguese schooner "*Aguia*," suspected of being about to engage in the inhuman and illegal Traffic in Slaves, and, in consequence thereof, captured by my client, Lieutenant H. B. Beresford, commander of Her Britannic Majesty's brigantine "Spy," is shortly to be adjudicated.

In support of the right that my client had and has to seize this vessel, I beg to submit to you some considerations, to which I hope and pray you will allow their due weight, and which refer to the port in the Brazils whence the vessel sailed for the coast of Africa, and to that port in which she was captured, as well as to the papers found on board the said prize, and also to her equipment and cargo.

1. The schooner left Bahia on the 24th of February last for the coast of Africa. Every one knows that many slave-traders still reside in the city of Bahia, notwithstanding the importation of slaves being severely prohibited by the laws of the empire of Brazil; but so great are their profits, that they set at defiance the laws of all countries on this head, and only seek how best to stifle, in the midst of

luxuries, that remorse of conscience which the engaging in so inhuman and vile a pursuit as that of Slave Traffic cannot fail to produce.

The owner of this vessel, Manoel Duraes Lopes Vianna, is a notorious slave-trader in Bahia, and has already had some vessels condemned for being employed in the Traffic in Slaves, and thus found contravening the Treaty of the 3rd of July, 1842, between their Britannic and Most Faithful Majesties. The said schooner made the ports of Elmina, Cape Coast, Acra, Berenço, Denu, Ajudá, Onim, and Agué, in which last port she was captured on suspicion of her being destined for the Traffic in Slaves. It is generally known that these ports on the Gold Coast are most of them inhabited by slave-traders, who are not idle there; so true is this, that notwithstanding the great vigilance of Her Britannic Majesty's cruizers, several vessels with slaves have sailed from them for Havana, and for some ports of the Brazils; besides which, the crew of the detained vessel is composed of whites, mullatos, and blacks, some Portuguese, others Brazilians, and even one Spaniard; and it is almost impossible to navigate a vessel with such people, who, besides being of the coarsest habits, and, for that reason, with all the prejudices arising from the difference of race and nation, can only be collected and kept in order by the hope of obtaining great profits by shipping slaves, such being obviously the object of this vessel, considering the state in which she and her crew were found, among whom we find the sailor Antonio Nogueira, long used to the Traffic, as is seen by the process; and also the apprentice Julião, son of the Cha-Cha, a notorious slave-trader on the Gold Coast.

2. As to the ship's papers, I have to say that she was sailing with illegal ones; for, according to the ship's passport, on the 12th of June, 1851, the owner was Jose Lopes Guimaraes, who sold one moiety of her on the 14th July, 1842, to Manuel Durães Lopes Vianna, as we see by the *visa* of the Consul at Bahia, and by the bill of sale, which the master of the schooner has annexed to the process. But in this very same bill of sale it is declared that the new proprietor purchased the other moiety, belonging to Brazilian subjects, in the Orphans' Court, which sale ought to have been mentioned in the passport; that is, how the moiety of the vessel belonging to the first proprietor was transferred to Brazilian subjects; in all this there is an infraction of the Commercial Code, Article 1379, No. 2; and of the Decree of the 1st of June, 1847, Article II, sec. 10; for it is not shown when the said Vianna bought the other moiety in the Orphans' Court, for from that time it became incumbent upon him to take out a new passport, according to the 13th Article of the above-quoted Decree. Besides this, subsequently to the 13th August, 1852, the aforesaid owner of the whole vessel, Manoel Durães Lopes Vianna, declares, in a letter of orders to the actual master of the schooner, that Antonio Vieira da Silva is the supercargo, and the owner of the schooner "*Aguia*." This letter was annexed to the process by her present master. From such papers, and from the passport, we must infer her illegality.

The persons belonging to the crew of the schooner, who were examined before the Court, declared in their depositions that the apprentice Juliáo had landed, and on the vessel's log no mention is made of his landing, nor the motives for his doing so, this being an infraction of the Commercial Code, Article 1,377, No. 7, and another illegality in the navigation of the said vessel. And the same may be said respecting the new orders the supercargo received to load with Indian corn instead of oil, which orders, the master deposed, were sent to him (the supercargo) by the owner; for if this were true, which we deny, the master ought to have received a like communication, as expressed in the Commercial Code, Article 1,425.

These are not the only material irregularities that we find in the papers, for the manifest with 15 bills of lading furnishes me with another ground for some remarks. The second bill of lading is the only one signed by the master, and the others are not signed, this being an infraction of the Commercial Code, Articles 1,376 and 1,379, No. 4. Another circumstance is, that in the bills of lading, Nos. 4, 10, 13, and 15, the "*Aguia*" is called a yacht, and the bill of lading No. 9 does not designate the vessel that is receiving the cargo therein mentioned. Lastly, respecting the cargo now found on board the schooner "*Aguia*," there is no manifest, notwithstanding the same having been shipped at several ports of the Gold Coast, in some of which there are authorities, and thus the master infringed the Regulations of the 10th of July, 1834, Chapter 4, Articles I and II.

I ought to mention that the schooner carries two half-pounders, with which the master is not authorised to sail, for a certificate that was found on board mentions two three-pounders; from this we must suppose, and believe, that he placed the first on board as being more manageable, and easy to be moved from one side of the vessel to the other, and with these, to resist the search of any cruizer's boat after having the slaves on board. I ought also to remark the want of two books, the cargo-book and the ledger, that ought to have been, but are not, on board, according to the requirements of the Commercial Code, Articles 1,377 and 1,427; and likewise the excessive sum of 20 mil-reis as monthly wages to each sailor, as is shown by the muster-roll, such wages being only fit for slave vessels, and not for those employed in legal commerce. The difference between the measurement of the vessel, taken by the surveyor, and that declared in the passport, is also to be noticed, inducing the belief that the papers with which the schooner "*Aguia*" sailed were not her own.

3. It is my duty to notice the equipment and the cargo of the schooner "*Aguia*," in defence and support of the capture. The prize has four hatchways, larger than those used by vessels of equal tonnage employed in legal commerce, which have only three; and there being on board a cooper, with his tools, the close hatchways could easily be converted into open ones by boring them with an auger and fastening them with iron bars, which are on board, thus enabling the vessel to carry slaves in the hold.

The cargo was stowed with the intention of carrying slaves, for the Indian corn was placed aft and the calabashes forward, leaving a large space in the hold propped and levelled, with 4 casks of oil, firewood, monkey-skins, and 167 mats.

The superficies of the galley is 720 square inches, and the upper part unnailed or unscrewed, so that a boiler, capable of cooking for a cargo of slaves, could be placed thereon.

The prize has on board 1,733 casungeis of Indian corn, 6 casks, 2 half-casks, 2 barrels, 3 tubs that had been used for salt meat, and 5 demijohns, which might, together, contain 1,207 gallons of water; and 3 tons 1,900 cwt. 17lbs. of firewood, with 20 casungeis of farinha. These things are sufficient to enable the vessel to ship a cargo of slaves, more particularly if bound for any port in the neighbourhood of Bahia; and as a substitute for the mess-kids, there is on board a great quantity of calabashes, which, being easily broken, the master of the vessel had the precaution to provide a large number of them, in order that this new kind of mess-kids might never be wanting on board.

There are likewise on board some planks, cut so as to form a second deck in the cabin, for the purpose of placing slaves there; besides which there are three bunks, which would be necessary to accommodate the master, the supercargo, and the apprentice, thus leaving the cabin for the female slaves.

It is further to be observed that the cargo on board is not entered on the manifest, as should have been done in the different ports at which it was received. The captor trusts, therefore, that the Court, duly considering what is here set forth, and the letter of the Treaty of the 3rd of July, 1842, Article IX, Nos. 3, 6, 8, 9, and 10, will adjudge the Portuguese schooner "*Aguia*" to be a good prize, as having been engaged in the inhuman and vile Traffic in Slaves. The Portuguese and British nations have been for years expending enormous sums for the purpose of at once putting a stop to this barbarous commerce; and if these sacrifices have at times proved unavailing, owing to the great extent of coast the cruizers have to watch, now the Court has to adjudge a vessel suspected of being engaged in the Traffic with the clearest proofs found on board, the captor trusts to the rectitude of this Tribunal to condemn the said vessel, for punishment of the interested parties, the example of others, and compensation of the immense sacrifices made by the British and Portuguese Governments respectively in opposition to the cruel and barbarous Traffic.

(Signed) DR. FRANCISCO JOAQUIM FARTO DA COSTA,
The Proctor on the part of the Captor.

Inclosure 7 in No. 77.

Claimant's Arguments.

(Translation.)

To the Commissioners of the Mixed Commission. *Loanda, September* 20, 1853.

THE Portuguese schooner, "*Aguia*," whereof Manoel Durães Lopes Vianna is owner, having sailed from Bahia for the Gold Coast, and having touched at and stayed some time in several ports of the coast in course of trade, was, during such voyage, three times searched by the English cruizers, and was afterwards detained and brought as prize to this port by one of those that had so searched her. Many are the circumstances that reveal and denote the arbitrary and positive violation of the law, and even of reason and of good sense, which characterized this detention, considering the state of the divisions found in the interior of the vessel, the quality, and even the quantity of her cargo, the total absence and neglect of apparatus, of preparations, and of all those aids indispensable for the illegal and hazardous Traffic in Slaves,—the groundless and puerile reasons alleged to justify the capture,—the stratagems and suggestions employed to lead the master to an act that inexperience, fear, or despair, might have made him embrace and follow, as a course less perilous, and therefore preferable in such a conjecture. All these particulars disclosed, throughout these proceedings, the firmness of the master, and the resignation with which conscious innocence enabled him to resist all the malicious insinuations with which he was tempted, must certainly have produced in your minds a full conviction of the injustice, violence, and malice of such a detention, and on the other hand, of the purity and total absence of those indications on the part of the vessel, the master, and the crew, which the law (Treaty), making a very severe exception to the most obvious and simple rules of civil law, established and raised to the order of condemnatory proofs—a stipulation so foreign to common criminal laws, that it is not admissible, considering the great facility with which, from very trivial and inoffensive things, such indications may be formed by which, under pretence of not having the delinquent unpunished, the innocent are more frequently punished and condemned.

All the circumstances attending this voyage, whether we consider the departure of the vessel from Bahia to Onim, touching at several ports of the Gold Coast; or when, on her return by the same ports, she underwent the most arbitrary and groundless capture, clearly show that the pursuit in which she was engaged was that of legal commerce, with that assurance and delay peculiar to those that have nothing to fear; for, leaving Bahia with agoardente, tobacco, sugar, and several minor articles, the first port she reached was Elmina, where she traded for about eight or twelve days, and receiving gold-dust in exchange for what she sold, she sailed for the other ports, Cape Coast and Acará, where she disposed of a large quantity of agoardente, receiving in return 3000 monkey skins, intended for cavalry use; she then proceeded to Bercusse, Agué, Ajuda, staying at each of these ports from eight to twelve days, trading and receiving some money and goods. At Ajuda she was searched, for the first time, by an English steamer, the commander or officer of which came on board, examined the cargo, and consequently saw these monkey skins, examined the passport, muster-roll, and other papers, which he found legal and in regular order, leaving the vessel free to proceed, whence we see that the legality of the papers, in this instance, is independent of any omission that may be detected in the observance of the provisions of the Portuguese commercial code, the infringement of which is alleged in the accusation, but that it depended on the intervention of the local and competent authorities. From that port she sailed to Onim, and there the brig "Spy" visited her for the first time: having then, therefore, the same opportunity as she afterwards had of seeing the monkey skins, which were sent on board at Acará, as well as the mats, the blue cloths, and the cloths called "jabú," received in this port of Onim, and which are worth from 8 to 10 mil-reis each at Bahia. The captor, therefore, saw the same papers, and noticed the same galley; yet then, no scruple or zeal stimulated him, and he withdrew, declaring the vessel to be sailing legally and to be at liberty.

From Onim the vessel returned, touching at the same ports, to receive the remainder of what was due to her for the goods she had sold in those same ports, on condition of being paid on her return, and for which she had received the bills of credit that are before the Court, and which show the necessity the vessel was under of returning by the same ports to Cape Coast Castle, and thence to Bahia.

Coming from Onim to Ajudá, to receive what was owing to her, she was again visited by the English steamer that formerly had searched her; and though she had on board the same cargo that she now has,—monkey skins, mats, all the calabashes, the blue "jabú," and "Atacar" cloths, the

same papers, and the same galley, which have since been made the pretexts for the detention that she is now undergoing with enormous loss and damages, she yet was cleared, and declared legal by the commander of that steamer, who clearly saw that there was nothing particular in the vessel which could induce the suspicion of her trading in slaves, or lead any cruizer into error. When at Agué, completing her cargo, and receiving Indian corn, of which she had already on board 800 English bushels (1733 casungueis), as was ascertained by the survey, she was overtaken on the 4th of June last by this most unjust and disastrous capture, and this inconsiderately and capriciously effected by the English brigantine, "Spy," without the captor considering that he had already searched the "*Aguia*" when she was in nearly the same state, and that only a few days before she had also been boarded for the second time by a steamer of Her Britannic Majesty. This illegal and arbitrary capture took place when the master had landed by order of the supercargo (who was ill on shore), that he might in his stead superintend the shipment of the goods, and receive the proceeds of the sales; and then it was that he became aware of the capture of his vessel, on seeing the brigantine's boat alongside of her, and shortly afterwards the Portuguese flag lowered, and the English one hoisted, which obliged the master to return immediately on board to share the fate of the vessel, whatever it might be.

Let us see what were the first grounds offered to the master to justify so extraordinary and unheard-of capture. As soon as he arrived on board it was made known to him by the English commander that the vessel was detained as a prize, and that the grounds were her being an American, and the papers with which she sailed false. In vain did the master allege that the vessel had been built at Oporto, that the papers were legal, and had been already examined by himself and the commander of the steamer, as well as the bonds entered into at the Consulate of Bahia for the two voyages, but all to no purpose.

I shall pass over the spoliations and plunder that followed each other, and which could be easily proved if we were allowed to do so, both by the neglect and carelessness with which the voyage of the "*Aguia*" for this port was, as it were purposely, prolonged to sixty odd days, stopping two or three times, and by the want of water, when it might have been made in thirty days at most, nothing extraordinary having occurred in the course of it.

But to strengthen the good grounds of this wise detention, the illustrious English commander had recourse, as can be seen by the process, to the very conscientious attempt to induce the master of the detained vessel to throw the papers overboard, abandon the vessel and land with his crew; but he could never overcome the firmness and confidence of the master, who despised alike the promises and the menaces with which he was pertinaciously assailed.

All such attempts proving vain, they applied themselves to enticing the sailors of the prize with promises of money to declare that the vessel was going to ship slaves. By this also he fortunately gained nothing. It was, therefore, necessary to forge supposititious indications, to allege frivolous pretexts, to contrive several stratagems, which were all destroyed and shown to be false by the survey, inasmuch as it was proved by that survey (in which the commander of Her Britannic Majesty's steamer, chosen surveying officer on the part of the captors, agreed himself in all the essential points) that there was a total want of legal grounds for suspicion.

Such are, that the hatchways were such as those used in all merchant vessels engaged in licit trade, and that they were not and could not be close ones; a circumstance in itself so essential as to be sufficient to show and convince any one of the impossibility of the vessel being engaged in the illicit Traffic in Slaves, nor does the possibility, suggested by the adverse party, of making close hatchways with iron bars, that all merchant vessels have on board, to fasten down their hatchways, deserve any consideration. It was ascertained besides that the hatchways were in proportion to the size and dimensions of the vessel. It was proved that the divisions were not more than were necessary for vessels employed in lawful trade, and thus the pretext alleged by the captor, of there being more divisions than the necessary ones, was destroyed, as well as that which would consider as such the divisions which were prepared and destined to receive Indian corn, lined with firewood and mats to preserve it from the damp; the aft one, which was already full, being proved to be equal and alike to that forward, which was beginning to receive more Indian corn,—a circumstance on which the very vain and frivolous suspicion was raised of having mats spread to receive the slaves, the space not being sufficient for more than ten or twelve persons. And this miserable pretext, in which the captor appears to have had great confidence, was totally destroyed and refuted by what we read, page 88 to page 96 of the Process, and by the answers to the second query of the Survey. The captor when asked what number those fancied divisions could admit, pretended that he did not know; and he was right, for ten or twelve, that at the most might have been placed in them, were as nothing, and deserved no attention compared with the 300, the smallest number which it could be for the interest of the vessel to carry over.

It is proved that there were not, nor are at present, any boards for a second or slave-deck, it being impossible to consider as such the unequal and narrow boards that form the flooring of the cabin, leaving the space of one plank through which a man may fetch anything that may be required from underneath. It was ascertained that there were no chains, no fetters, no hand-cuffs, nor casks or other vessels to furnish the water requisite for a great number of people; that there were no more than two trays and a tub used for the washing of the vessel; and it must be thought very extraordinary that the accusing party should consider the calabashes, though brittle and unable to stand firm, fit for that purpose,—of these the vessel shipped in Onim 9,000 new and which had not been used, to sell them at Bahia for at least a mil-reis each, as in that place they are much esteemed and not common, because they only grow twice a year, and are a common object of trade in the Brazils, and many vessels have entered those ports with this sort of cargo, as did this same vessel which is now detained, last year, as can be seen by her manifest printed in the Mercantile Journal of Bahia; nor is the circumstance mentioned by the surveying officer less in our favour, namely, that this is the first time he had ever seen such a cargo, though he had been cruizing for five years, for it shows that this kind of cargo is not used by vessels employed in the Traffic in Slaves. No pretext, unless a very frivolous one, can be drawn from the galley, it being of the regular size, or perhaps smaller, as was proved on the survey, besides which it has not those aids that the English galleys usually have to enable them to cook for a great number of persons, thus showing how childish was the malice with which the captors, six days before the arrival at this port, furtively unnailed the heating surface, as is seen by the evidence. And if this Portuguese galley without the additional aids which the English ones have,

being maliciously made to wear a suspicious appearance, notwithstanding the want of these aids, could yet be taken as an indication of the "*Aguia*" being intended to carry slaves, would it not have been better to do without it altogether, and cook on deck with boilers set upon a quantity of sand? What attention, too, does the circumstance of the wood (cut in small and irregular logs proper for burning, as the surveying officer himself avows in page 92) deserve, and which were not prepared so as to fit in one with another and form a second deck? And as to the quantity, it was not sufficient to cook for this voyage, as may be seen in the declaration of the English surveying officer, when again referring to the galley, he says, page 165, that it was not fastened with screws. Lastly, what indications can the 65 mats afford, which by their quality exclude all suspicion, and are one of the articles of merchandize which the vessel, on her last voyage, took to the Brazils, as we learn from the printed manifest already mentioned, and which we beg leave to annex.

In the total absence of these principal and only grounds which the Treaty has admitted to be legal indications to justify any condemnation, recourse was had to such frivolous stratagems and subtleties, that it would be waste of time and labour to stay to refute what can have no importance or weight, especially considering its long and fastidious detail, as well as the contradictions and inaccuracies of various circumstances which the captor heaped together to supply the want of more reasonable grounds. Such are, for example, the improbable and contradictory statements regarding the time and manner in which it is said the crew left or fled from the vessel, comparing what is said at page 47 with page 92. The necessity of bribing and suborning the crew to declare that the vessel was destined for the illicit traffic, certainly made it very convenient to expel from the vessel part of her crew against their will and that of the master, who complained and remonstrated in vain; because it was easier to suborn two or three, than twelve or thirteen persons. Who can place any faith in what the captor asserts, that the mate and apprentice, Manoel da Costa Silveira, availing themselves of a favourable opportunity, fled, going on board an English barque? Would not this be to run from Scylla into Charybdis? Of what consequence is the remark that the pump threw out palm-oil, if it is lawful to have it on board, since all sorts of casks in the course of time lose some of the liquid they contain, which falling into the hold, is afterwards drawn up by the pump? Who can believe that the crew, as soon as they heard the vessel was detained, had the audacity and bad feeling to break open the trunks, and that there should be no one to prevent them? Who can fail to notice the simplicity and sincerity with which the prize officer complains that the master of the detained schooner did not inform the English commander that he had been already boarded by another cruizer of the same nation after the vessel was in the same state in which he found her on the 4th of June?

Lastly, who can believe that the topmasts being down, could be put up in ten minutes, even if the rigging was ready,—a circumstance that cannot be presumed to have escaped the quick eye of the officer, who tells us, with the greatest ingenuousness, that he had not examined them? Who will allow any weight to the foolish pretext of considering a mere handkerchief as an American flag, when it is well known that a handkerchief would not even serve for a boat's flag, when to equal the size of the flag of any vessel, it would require to be five or six times as large? What value has the indiscreet word of a sailor, even if we were to admit its truth, that if he had known the "*Aguia*" was to be detained, he would have made his escape immediately? Of what importance is the fact that the vessel was secured by the extremity of the chain, so that she might sail in a moment by cutting the cable; he was perfectly right in doing so to avoid being suddenly overtaken by the storms so frequent on that coast, and to guard against the anchor giving way from the impetuosity of the currents, as had already happened to him from having the cable short? The feigned astonishment with which it is related that one, said to be a passenger, was the first to effect his escape, when it is well known that he was forced to land with the crew, is quite ludicrous; as well as that he was the same person who was seen at the time of the first visit, remarking as extraordinary that this passenger, who was an old and miserable black, should be going about the coast, which would necessarily be the case, as he embarked at Onim when the first search took place, to proceed to Bahia, and therefore he would of course be met with at Agué, where the second search and capture took place.

It is further seen by the statement of the prize-officer, that the English commander had some talk with the master of the detained vessel about the objects and conditions that might or might not constitute the lawfulness of any cargo, disputing whether the calabashes, Indian corn, and mats ought or not to be so considered, which, looking at the circumstances already mentioned, clearly shows that the commander, without the least cause to lead him into error, took upon himself to make this arbitrary and illegal capture, trusting to that favourable result which alone a contingency and a fortunate chance could obtain for him. He well knew that the cargo was included in the provisions of the Treaty, which excepts certain articles from the enumeration of suspicious indications, as soon as it is ascertained that they are cargo for licit commerce. Nor is the want of the vessel's manifest sufficient to illude and sophisticate the spirit of the law, for it is known that the vessel, not having then all her cargo on board—for she was still receiving it,—nor having yet revisited all the ports of her destination, as is evident by the bills of credit, and the time agreed on for their payment on her return to those ports, could not have been provided with a manifest, as a manifest so made would have been insufficient to have answered the purpose, or else false and absurd, and such as that the least mischief which could have happened to the vessel would have been to be fined in Bahia, though instead of only one complete manifest, as all ships have, her master should have had the folly and imprudence to have made one at every port he touched at, whether there were there, or not, authorities, who being considered by the Brazilians as foreigners, their signature would have no authority for them, but only that of three or four merchants that might be residing in the place.

The defence, therefore, having thus victoriously and completely refuted the frivolous and forged grounds of the accusation, we pass over a torrent of questions and accusatory propositions that must necessarily excite the laughter of any man, however circumspect he may be, and only tend to create out of the most trivial things common to all vessels, some other unreasonable pretext; and lastly, we shall observe in opposition to the supposed infractions of the Portuguese commercial code which are thought to have been discovered in the passport and bill of sale of the vessel, that if such omissions did really exist, they would be a ground of accusation against the Portuguese authorities in Bahia, before whom these documents were drawn up, as those on whom it was incumbent zealously to guard against the recurrence of these infractions; but in this our case, the infractions of the Treaty of the 3rd of July, 1842, can alone compromise and bear upon this vessel; nor less frivolous is the surprise expressed at the master having produced a letter in which Manoel Durães declares to be the owner

and supercargo, a man, who being really supercargo, represented, when on board the vessel, the owner, whose place he supplied.

Can these, and all other such remarks bearing on the non-observance of the Portuguese commercial code, and of certain regulations in particular cases, which, however, when well considered, it is seen did not in fact take place, be classed as illegalities of the nature of those which are required to induce, we do not say well-grounded suspicions, but even the slightest suspicion of Traffic in Slaves? The charge of non-observance of the Portuguese commercial code, as to the bills of lading, is likewise fantastical, and to allege such only proves the little knowledge of such matters that he has who discovers in them infractions that no one better informed would infer from the articles of the accusation referred to, and which are governed by very different provisions. Lastly, the cargo-book, and the ledger, of which mention is likewise made, ought to be in the power of the supercargo, who was ill on shore at the port of her capture.

Nor will we tire the Tribunal any longer by answering the other frivolous points of this accusation, for it would argue on our part an excessive and superfluous anxiety to meet all such vain remarks, which would expose us to the just reproach of appearing to mistrust the ability of the Judges who have to adjudicate the prize, and who, from the just opinion entertained of their probity, independence, and humanity, we hope will give a sentence according to, and answering in all respects the general expectation of this city, which is anxious for the release of the vessel, together with all its legitimate results, in order that justice and humanity may be satisfied, and the law that was rashly violated by the captor in all the provisions of Articles II and IV of the Treaty of the 3rd of July, 1842, fully avenged; and, therefore, we shall not cease to repeat that the acquittal and restitution, in conformity with the 4th Article of the above cited Treaty, and 2nd and 7th of Annex B, are to be expected from the rectitude of this Tribunal, composed of Judges so honest, free, and independent.

(Signed) CARLOS BOTELHO DE VASCONCELLOS,
The Proctor of the Prize.

Inclosure 8 in No. 77.

Substance of a Bond entered into by the Owner and Master of the "Aguia," at Bahia.

(Translation.) *Bahia, February 23, 1853.*

I, &c., certify, that on the 13th February, 1853, in this city of Bahia, in the chancery of this consulate, appeared before me personally M. D. L. Vianna and A. A. de Amorim, the former owner, the latter master of the Portuguese schooner "*Aguia*," now anchored in this port, completely laden with the produce of this country, and bound to the ports of the coast of Africa, in order to make oath to fulfil and religiously observe the provisons of the Decree of the 10th December, 1836, from Article I to IX inclusive, not to receive any slaves on board the said schooner, subject to the penalties in that decree established, in case she should be found contravening it; and under the same oath they engage not to sell the said schooner under any pretext whatever, at any of the ports to which she is bound, but to return to this port, and in case of infraction (of this engagement), they bind themselves to the payment of the corresponding penalty, which shall be determined by the Government of Her Most Faithful Majesty, and which, amounting at the lowest to 20 contos of reis, shall be at once enforced, till the further decision of the same Government, as they shall be considered as having incurred the penalties which by the said decree are imposed on persons and vessels engaged in the illicit Traffic in Slaves.

(Signed) JOSE AGOSTINHO DE SALES,
Consul.

Inclosure 9 in No. 77.

Analysis of the several Depositions.

(Translation.)

THE hold divided into four compartments, the aft part having some boxes and bags of farinha, the next containing a much greater quantity of Indian corn than was necessary for the crew, the other a greater quantity of mats than was requisite for them, 1 or 2 casks of palm oil, a large empty cask, and an immense quantity of firewood; and the fore part almost clear, and prepared with mats as if for the reception of slaves. There was found also on the deck a great quantity of firewood, and several hundreds of calabashes. It is also mentioned that, when the vessel was boarded by the aforesaid Commander on the 7th May last, she had a cargo of palm oil and was then collecting this article, the master saying that he intended to ship a cargo of palm oil.

On boarding her the second time, he found that the master had discharged all the oil, with the exception of 1 or 2 casks, and had shipped the abovementioned illegal cargo. He states likewise, that he saw a large cask in a canoe that was alongside, and which afterwards returned on shore.

We find also a certificate from Commander Beresford to the effect that the crew, as soon as he let them know his intention to send part of them to St. Paul de Loanda, and transfer the others on board the "Spy" for safety, immediately left the vessel and went on shore, except those individuals of the crew that accompanied the vessel for adjudication.

These persons being interrogated, viz, the master, a sailor, and 2 boys, depose that in the hold there are 1st, the cabin bulkhead aft; 2nd, that for the crew's provisions forward; and that there are two lockers formed with logs of wood, lined with mats and bags, one from the cabin bulkhead to the main hatchway, and the other beyond the main hatchway, and which reach from the bottom of the vessel up to her beams, except the fore one which is but half this height, to receive Indian corn.

That the farinha on board may be about 9 bushels, Indian corn about 800 bushels, belonging to the cargo of the vessel, and contained in the aft locker, which was full; that the mats on board were

most of them fine ones, and that the firewood was for the stowage of the cargo. That at Ajuda 28 casks of palm oil were received for the vessel's ballast; that afterwards, while at Agué, the supercargo having received a letter from the owner, by a Sardinian vessel, advising him that palm oil did not fetch a good price at Bahia, but Indian corn or beans did, and ordering him, in consequence, to ship these articles 10 casks were sold to an English barque, and 10 more to an American brig, only 8 casks remaining on board. That the second deck, in the hold which runs forward, is only a locker for Indian corn, wanting all the requisites to be considered a second deck; that the mats were an object of commerce in the Brazils, and that this same vessel, in her former voyage, had taken 15 bales of them; and that the Indian corn was in so great quantity, that it could not be a cause for suspicion; that the large cask that was in the canoe alongside the vessel, contained Indian corn that was sent on board towards completing the cargo. As to the escape of the crew, it is stated in these depositions that they were compelled to this by the captor himself; to which is added, that it was proposed to the master to throw the flag and papers overboard, with the promise of landing him at whatever part of the coast he preferred, which the master always resisted; and even that the English sailors brandished their swords to oblige them to go on shore. That the master had landed, on a summons, the evening before the capture, from the supercargo of the vessel, who was ill, to go on with the shipment; and that, seeing from on shore his own flag lowered, and the English one hoisted, and the canoe which had taken the cask with the Indian corn, return, the blacks stating that they were not allowed to go on board the vessel, he immediately caused the canoe to be unloaded and went off to his vessel in her, and it was in this very same canoe that most of the crew landed; and in the evening of the day of the capture, the mate and an apprentice were sent by the captor, in the "*Aguia's*" boat, on board an English barque that was there at the time. That the master did all he could to prevent his men from being sent out of the vessel, and further evidence shows a series of irregularities and deviations practised on the part of the captors. By the sworn statement made by the prize officer, we see that it was his positive conviction that the crew were not compelled to leave the vessel, and that he was not aware of the Commander having told the master of the detained vessel to throw the papers and flag overboard. That at the time the mate and the apprentice went off to the English barque, the Commander was not on board the "*Aguia*," but he, the prize officer, was; and that on his sending a message to the barque, they availed themselves of the opportunity to go, without his order or knowledge, on board her, which he only discovered after they had left the vessel.

That the deviations and irregularities of which the captured party complained, if they did take place, it was certainly without his permission or knowledge.

That it was about half-past 7 A.M. when he visited the vessel on the 4th of June. He declared that the hatchways were close ones, as those used in merchant vessels; that at the time of that visit, he saw no Indian corn in the fore division; that he did not see the contents of the cask that came in a canoe alongside the vessel after she was detained, but that it appeared to him to be Indian corn, and that he gave no order for her to return on shore; that the firewood was not prepared to fit one piece into another, but that it was cut for burning; that he did not know of any orders having been given to prevent the crew from landing or to pursue them. That when the Commander went on board he asked for the vessel's papers, of the person that represented the master, and that only a muster-roll was shown him, and it was not till the master returned on board that the papers were produced, and as soon as the Commander announced the detention of the vessel, the crew themselves broke open the trunks, which contained country cloths, endeavouring to hide them about their persons; and he further mentioned that the sailor now on board had already been captured in a slaver by the "Cygnet." That it was impossible for him to say how many negroes the fore division, that was clear, would contain, with other circumstances, &c., &c.

From the evidence of two English sailors, taken in consequence of the petition of the prize officer, we find it confirmed by them both, that the sailor on board the prize had already been captured two or three times, and had once been sent to St. Helena;—that the calabashes on board were exactly of the same quality as those used by the negroes on the Gold Coast to eat and drink from;—that no violence or menace was practised towards the Portuguese crew to induce them to leave the vessel, and that there were no arms in the boat except the officers' swords;—that they heard no order given to prevent the crew from leaving the vessel, nor did they remember any attempt to stop them, one of these witnesses saying, that he saw they had left of their own freewill, carrying with them some small boxes, and leaving others that they were not allowed to take away, this, however, he did not see. but heard from his companions, as well as that whilst the English sailors were employed in getting the hold clear, some of the Portuguese crew took the opportunity of escaping.

From the report of the survey, we see that the hatchways are close ones and like those used by merchant vessels employed in licit commerce; the surveying officer, on the part of the captors, saying that some of them are large in proportion to the size of the vessel, and the surveying officer for the captured party, that they were in proportion to the size of the vessel, and such as are usual in Portuguese vessels; in which latter opinion the umpire agreed, basing his opinion on the fact that most of them would not admit a cask laid crossways;—that there are two divisions, that of the cabin and that for the crew's provisions, and a partition formed of logs of wood covered with mats, with a great quantity of Indian corn in bulk; another aft the foremast, from the keel to near half the height of the beams; and that these divisions were not more than were necessary for vessels employed in lawful commerce;—the surveying officer for the captured party adding that, the division of the hold was made with logs of wood, lined with mats, to half the height of the beams;—that there are some bags with Indian corn, an article which the locker that formed the other division was full of;—that there were 6 planks on board proper for covering the superficies of the cabin, and cut so as to fit in the lockers fixed all round, leaving a very small space uncovered; the surveying officer on the part of the captors saying, the planks were each 18 inches more or less, in width;—that he could not say of what length they were, as they were of different sizes;—the surveying officer for the captured party agreed in this, except as regarded the width of the planks, which he thought were from 10 to 12 inches, Portuguese measure, to which the umpire agreed, for the width of the said boards that formed the flooring of the cabin could not be greater, as they were of deal, or of the so-called pine-wood of the country;—that on board there was no water, and that all the vessels capable of containing liquid, would hold but 1065 English gallons altogether, including 3 barrels that had been used for salt meat, which might contain 142 gallons;—that there were 2 tubs that might hold 60 gallons, and a great quantity of calabashes which might be used as mess kids: this was stated by

he surveying officer on the part of the captors;—and the surveying officer for the captured party declared that, properly speaking, there were only 2 mess kids, which might together contain 2 gallons;—that there was a tub used for washing the vessel, and besides this there were, more or less, 150 bundles containing, perhaps, 8000 calabashes. By the declaration of the umpire, we see that there were only 2 small trays for the use of the crew, of a gallon each, and that he thought the surveying officer on the part of the captors had confounded this with a tub for washing the vessel, that measures exactly 36 gallons;—that there was no boiler on board, and that the cooking utensils were only 5 in number, containing 7 gallons, and capable of cooking for 10 or 15 sailors, but that the cooking apparatus (galley) could be prepared in a short time, for any number of people the vessel might carry: this was said by the surveying officer on the part of the captors, who handed in at the same time a sketch of the galley. And the surveying officer for the captured party declared that the galley could only cook for a small number of persons, being of the kind generally used by merchant vessels, agreeing to the accuracy of the plan abovementioned. It is further noticed that the heating surface of the galley measured 720 square inches, English; the surveying officer on the part of the captors declaring that it was three times as large as the one in use on board the steamer of Her Britannic Majesty's under his command. And the surveying officer for the captured party replying, that although the superficies of the galley measured 720 inches, it could not cook for 80 persons for want of the boilers, and that it was, as he had already said, a galley of the size and shape of those generally used by merchant vessels, and that he himself had on board his vessel (a Portuguese merchantman) a larger one. It is further seen that the galley is made of iron, and the umpire said that in its present state it could only cook for a few persons; and that the one in his vessel, which was rather larger than that of the "*Aguia*," only cooked for 16 persons. It is likewise seen that there was some slight difference of opinion about the weight of the firewood found on board; the surveying officer on the part of the captors saying that it was 3 tons, 19 hundredweight, and 17 pounds, English; and the surveying officer for the captured party, that it weighed 3 tons, 14 hundred-weight, 3 arrobas, 24 pounds; admitting, however, that the greater part of the said firewood was saturated with palm oil and salt water. That there are on board 1733 casunguies of Indian corn, or about 800 English bushels, and about 20 casunguies of farinha, or about 8½ bushels, but no rice, and 105 coarse mats measuring 2,520 square feet, and 65 fine mats measuring 1,560 square feet; the surveying officer for the captured party declaring, however, that the coarse mats were most of them cut up for lining the lockers containing the Indian corn, there scarcely remaining 12 that were not thus used; that they were already worn and of different sizes, for which reason the common mats could not be measured. The surveying officer on the part of the captors stated that it was true there were many mats torn up, but also there were many entire, though of different sizes, which he himself measured, and from the average made his calculation; to which the umpire replied that he had not measured the mats, because they were of different sizes and nailed to the sides of the vessel, to the bulkhead and boards, and placed on the firewood to preserve the Indian corn from the damp. That there were on board 500 gallons of palm oil in 4 large casks and 4 small ones. That nothing was concealed under the cargo. The surveying officer on the part of the captors remarked that the firewood was stowed all along the hold, and that among the water-casks are 3 tubs strongly made with three iron hoops each, and that he had only seen such in slave vessels or in barracoons; and besides this, there was a set of cooper's tools. The surveying officer for the captured party said that he had found nothing remarkable in the state of the vessel and her cargo; that among the casks there were 3 tubs that appeared to have been used for salt meat, 2 of them in every respect like those used in merchant vessels, and another made out of a barrel. It is further seen, that the surveying officer on the part of the captors, referring to his answer to the query in the order for the survey respecting the galley, said that it might be prepared in a short time by means of such aids, as he (the Commander) had on board the steamer, but that he had not found such aids in the "*Aguia;*" that he saw only the heating surface of the galley, nothing more. It is likewise seen with regard to the measurement of the vessel, that it was 92 $\frac{8}{10}$ tons, English measure, as was stated by the surveying officer on the part of the captors; and by the surveying officer for the captured party, that calculating according to the Portuguese law, she measured 104 tons and $\frac{7}{10}$, measuring 104 palms in length 25 $\frac{1}{10}$ palms, and 13 palms, the umpire saying that the difference in the measurement made by the two surveyors was occasioned by the rule of measurement being different, but that calculated one with another they were alike.

Inclosure 10 in No. 77.

Preliminary Vote of the Portuguese Commissioner.

Hall of the Sessions of the Portuguese and British Mixed Commission.

(Translation.) *Loanda, September* 30, 1853.

ON a resumé of this very extended and intricate process, seeing that the points of accusation are, that the vessel had more divisions in the hold than were necessary; that the Indian corn was in greater quantity than requisite for a vessel engaged in lawful commerce; that she had a second deck lined with mats proper for receiving slaves, and that besides this, the proctor on the part of the captors maintains that the galley would admit of a boiler to cook for a great number of persons; that with the cooper who was on board, the hatchways might, with the iron bars, be converted into close ones, and that in the hold there were boards to form a slave deck. And it appearing from the report of the survey that the divisions of the hold are not more than the necessary ones for a vessel employed in lawful commerce; that there is on board a great quantity of Indian corn in bulk of which one locker is quite full, and this from the cabin bulkhead to the main mast, with 1,733 casungueis (or nearly 2,200 Portuguese bushels); that the second deck, which is said to be for slaves, is a locker to receive Indian corn, lined with mats nailed to the sides of the vessel, that the coarse mats do form the two aforesaid lockers except about twelve already worn, and that the other mats are fine ones; that the galley is of a regular size, being of iron, and that it was not possible to make it larger in a short time, unless it were with the aids the Commander of a steamer of Her

Britannic Majesty said he had on board his vessel, but which he did not see on board the prize; and finding from the same survey that there were no iron bars, the process showing that there only were the bars proper for fastening down the hatchways, which the survey decided to be close ones, as those used by merchant vessels; besides this, considering that the boards that cover the surface of the cabin cannot be considered as proper for forming a slave deck, for they are very small, but only for making the most of the space in the cabin, and so much so that the captor makes no mention of them, finding therein the trunks with gold-dust and dollars to a great amount; thus proving the statement of the captured party of their having sold goods in exchange for gold dust and money. And observing, further, from the process, that the vessel still in the morning of the day of her capture was going on with her shipment of Indian corn, as is shown by the cask that was alongside full of it, as the captured party assert, and is confirmed by the opinion of the prize officer given on oath. Considering, further, that if the firewood levelled with mats upon it was to form a slave deck, it could not then be for the use of the galley.

Taking into consideration likewise, that on board there were no means for supplying water nor boilers of the requisite size to cook with, but rather that what there was of these articles was only that which was strictly necessary for the crew of the vessel.

Considering also that notwithstanding the vessel being anchored close to land, nothing is said of any preparations for such a shipment being seen; on the contrary, as already observed, in the morning of the 4th of June the shipment of Indian corn was still going on; and it is not credible that if there were any intention of changing the shipment, they would fill up so large a locker with Indian corn in bulk as would then be far more difficult to empty, and likewise in the state in which the vessel was she could not receive a cargo of slaves for the want of water indispensable for such a purpose.

By the vessel's papers is also shown her identity with that mentioned in the royal passport, notwithstanding the difference observable in the measurement specified in the said passport and that of the survey, though the calculation is said to have been made after the same manner as that in the royal passport, viz., according to the royal decree of the 24th April, 1844,—a difference that can only arise from some irregularity in the measures or in the manner of taking them; for, as already said, the papers show her to be the same vessel, as well by the statement in the royal passport, and the several changes of owner as by the bonds given at the Portuguese Consulate in Bahia on the former and present voyage—bonds deserving every attention, for they not only include the provisions of the decree of the 10th of December, 1836, against the vessel being employed in the traffic in slaves, but likewise a clause not to sell the vessel on the coast of Africa, obliging her to return to Bahia under a penalty of at least 20 contos of reis. It is likewise seen that the calabashes on board are in so great quantity that it very clearly shows they were destined for the cargo of the vessel, and not to supply the want of messkids, and that the vessel on her former voyage took a great quantity of them as cargo; in addition to which we see that the vessel being still at anchor and receiving cargo, could not have her manifest ready, and that some of the ports where she traded are under the dominion of Her Britannic Majesty.

From all this, and from what further appears by the process, I think it is proved that the Indian corn was for the cargo of the Portuguese schooner "*Aguia*," and that she at the time of her detention or capture was engaged in a lawful undertaking, and that the mats, from the use to which they were put, were necessary for lawful purposes on that voyage; therefore, I release the aforesaid vessel without any right, however, to indemnification for losses, damages, or expenses resulting from the detention in conformity with the provisions of the 10th Article of the Treaty, the said vessel paying the costs and expenses.

(Signed) GUILHERME CYPRIANO DEMONY,
The Commissioner on the part of Her Most Faithful Majesty.

Inclosure 11 in No. 77.

Preliminary Vote of the British Commissioner.

Hall of Sessions of the Mixed British and Portuguese Commission,
(Translation.) *September* 30, 1853.

THE British Commissioner declared, that it appearing to him that the schooner "*Aguia*" had infringed the 9th Article of the Treaty in several of its sections, and not finding in the defence that clear and incontestably satisfactory proof that the said vessel was at the time of her detention employed on some legal pursuit, without which the Treaty prescribes that any vessel shall be condemned and pronounced to be a lawful prize, which may be detained on suspicion of being engaged in the Slave Traffic, he could not but consider the "*Aguia*" as a good prize, and condemn her as such.

The British Commissioner having already in this day's session pronounced his opinion respecting the Portuguese schooner "*Aguia*," detained on the 4th June last by Lieutenant H. B. Beresford, commander of Her Britannic Majesty's brigantine "Spy," on suspicion of being engaged in Slave Traffic, viz.: that the said schooner ought to be declared a good prize, it now becomes his duty (a difference having occurred in this respect between the Portuguese Commissioner and himself) to state *in extenso* the reasons on which he grounds it.

Setting aside the considerations presented in the two first heads of the argument of the captor's proctor, not because he deems them to be irrelevant, but because he, the British Commissioner, considers that he ought to confine himself as much as possible to the Treaty; he takes as the basis of his vote for the condemnation of the vessel her direct infraction of the 3rd, 8th, 9th, and 10th sections of the 9th Article of the Treaty, as is demonstrated by the answers given to the queries proposed in the orders for the survey by Commander Jolliffe, named as surveying officer on the part of the captor, and not contradicted by the surveying officer on the part of the claimants.

The infractions of the Treaty above-mentioned being thus proved, it becomes superfluous to enter into an examination of the subterfuge by which the master of this vessel attempts to justify his proceedings, namely, that after having with much trouble, passing from one port to another, collected as much as 28 casks of palm-oil, he suddenly set about disposing of the same in order to take in a new cargo of Indian corn for Brazil, which is like carrying water to the sea, and this in consequence of fresh orders, which, moreover, are not produced, from the owner of the vessel, who, having already been a sufferer from the detention on suspicion of Slave Trading of more than one of his vessels, must necessarily have been well aware of the risk which he would incur by shipping a cargo of that nature, and thus compromising himself with regard to the 9th Article of the Treaty; can such a subterfuge be deserving of any credit? and is there not a clear and ready explanation to be found of this change of cargo, in the calculation made by Commander Jolliffe, that the corn on board the "*Aguia*" would be equivalent to the quantity requisite for the sustenance of 400 slaves during a voyage from the coast to the Havana; to which may be added, that Indian corn being of a very succulent nature, causes a scarcity of water to be less sensibly felt. Nor let it be said that the "*Aguia*" would not carry so many slaves; experience, unhappily, and the case of the palhabote "25 *de Setembro*," of little more than 20 tons, which was brought to this port in the year 1850, with 180 victims of this inhuman traffic on board, too fully prove the contrary. It is true (and it is very much to be lamented that it should be so) that the existence of a great quantity of firewood on board is not in contravention to the letter of the Treaty, though to the spirit of it it certainly is, and the great quantity of it there is in the "*Aguia*" evidently shows that her destination could not be the Brazils, supposing her to have had a licit cargo.

In favour of the innocence of this vessel, a bond passed at the Consulate at Bahia is produced; but any one examining this document with due attention, must soon be convinced that this engagement reduces itself to a simple promise of the parties to conform to the provisions of the decree of 10th December, 1836, in its Articles from 1 to 9 inclusive, and that the fine mentioned in the 2nd part of this bond refers solely to the prohibition of selling the vessel, and to her return to the port of Bahia; besides which it is possible that the destination of the "*Aguia*" on sailing thence was really for lawful purposes, and that it was in fact in consequence of fresh orders, received while on the coast, as is now alleged, that this change was made; such an hypothesis, however, proving merely that they succeed in misleading the Portuguese Consul, far from extenuating the crime, only tends to aggravate it.

As for the allegation, that this vessel on a former voyage shipped goods of a similar kind for Bahia, we find that after having been stopped by the police, she produced a manifest with some calabashes and mats entered thereon, but no corn, and *non constat*, that she had not already before making the port disembarked slaves, a supposition which the well-known character of the owner as a notorious slave-dealer renders very probable.

Such are some of the considerations that in the opinion of the British Commissioner warrant the greatest suspicion, and which, considering further the number of the crew of the "*Aguia*," and the high rate of wages promised them, leave little or no doubt as to the pursuit on which she was employed at the time of her detention. But it is not on suspicion, however strong, that the British Commissioner would ground his sentence; it is on the Treaty and its Annexes which alone, as has already been well observed by the Portuguese Arbitrator, the Commissioners are sworn to observe, and it is for having violated the latter of that Treaty in the sections above-mentioned that he condemns as a lawful prize the aforesaid palhabote "*Aguia*," with all her cargo and other articles now on board, with respect to which and to her crew proceedings shall be taken as provided for in Articles XI and XII of the aforesaid Treaty.

(Signed) GEORGE JACKSON.

Inclosure 12 in No. 77.

Preliminary Vote of the Portuguese Arbitrator.

(Translation.) *Loanda, October 5*, 1853.

BEING again summoned to give my opinion in the process and adjudication of the detained vessel "*Aguia*," respecting a point on which the two Commissioners of this Tribunal do not agree, the Commissioner on the part of Her Britannic Majesty condemning the said vessel as a good prize, and the Commissioner of Her Most Faithful Majesty restoring her as a bad prize, I proceeded to give my decision after having conferred with the Commissioners of their Majesties, and attentively examined the whole of the 9th Article of the Treaty of the 3rd of July, 1842, between Portugal and Great Britain, for the total abolition of the traffic in slaves. This Treaty, with its Annexes, being the only law that I have to keep in view, and to which, as Judge in this Court of Mixed Portuguese and British Commission established in Loanda, I was sworn.

On these premises I come to the conclusion that,

As to the 2nd part of the above-mentioned 9th Article of the Treaty, it has been proved by the survey that there is no cause for condemnation.

As to the 3rd part, I do not agree that the small boards for the flooring of the cabin are strictly in the spirit of the Treaty sufficient on that account to condemn the vessel.

As to the 8th part, I am of opinion that in this also there is no ground for condemnation; for if we are to consider the galley as cooking apparatus, even this the umpire on the survey decided was of regular size, and to be without the means or anything further which might cause suspicion that it could serve for many people; and the surveying officer on the part of the captors even declared that though he could prepare the galley to cook for more persons, yet it would be necessary, for this purpose, to use the means he had on board his vessel, a steamer-of-war of Her Britannic Majesty.

As to the 9th part, I am not of opinion that there is any ground for condemnation, there being nothing on board to excite suspicion in this particular, unless it be the Indian corn, and this is in such quantity as to denote clearly that it is for lawful commerce, and stowed as it was, there would not even remain free space enough to receive slaves on board, without even taking into consideration on this

occasion that the vessel appears at the time of her detention to have been taking more Indian corn on board; for one of the divisions was full, and there was another similar one that appeared to be in every respect intended for the same purpose; besides which the captors said that the contents of a cask, in a canoe which was going alongside, were Indian corn; and the prize officer, interrogated on this head, answered that it was his opinion that the cask contained Indian corn; and here it is to be regretted that the prize officer did not (to make the case clearer) also seize the aforesaid canoe.

As to the 10th part, I likewise do not find reasons for condemning this vessel; for it is proved by the survey that there remained only twelve mats which were already used, all the others also worn, being cut and nailed to the sides of the vessel, serving in this manner to line the divisions for the Indian corn.

As to the other parts of the 9th Article of the Treaty, the vessel was not liable to any suspicion.

And as to the firewood, calabashes, small guns, and all other things quoted in this process, I do not find in the Treaty, nor in its Annexes, anything positive respecting them, nor any mention whatever of them; and, moreover, if we were to take these things into account, it would be to descend to analogies, and perhaps even to analogies of analogies, and their consequences; this is certainly contrary to the Treaty, which is very exceptional and precise in its provisions.

Having in view the above considerations, my opinion is as follows:—

That the Portuguese schooner "*Aguia*," detained by Lieutenant H. B. Beresford, Commander of Her Britannic Majesty's brigantine "Spy," ought to be restored, and considered a bad prize, without any right to indemnities for losses, damages, or expenses resulting from the detention, in conformity with the stipulations of the 10th Article of the Treaty, the vessel "*Aguia*" paying the costs and expenses.

(Signed) FRANCISCO TRAVASSOS VALDEZ,
The Arbitrator on the part of Her Most Faithful Majesty.

Inclosure 13 in No. 77.

Final Sentence.

(Translation.) *Loanda, October* 6, 1853.

ON examination of the process, &c.

The Portuguese schooner "*Aguia*," of 105 tons, whereof Manoel Durães Lopes Vianna is owner, and Antonio Alves de Amorim master, having been detained at Agwey on the 4th of June last, in latitude 6° 12′ north and longitude 1° 40′ east of Greenwich, by Lieutenant H. B. Beresford, Commander of Her Britannic Majesty's brigantine "Spy."

And this detention having been followed by an accusation, which appears in the Process A, page 1, that this vessel is equipped and laden in contravention to the Treaty of the 3rd of July, 1842, for the suppression of the traffic in slaves, concluded between their Majesties the Queen of Portugal and the Queen of the United Kingdom of Great Britain and Ireland, and on this account suspected of being destined for the said traffic.

On examination of the ship's papers and the depositions of the only four persons captured on board of her who came to Loanda being taken, as well as the sworn declaration of the mate, John Oughton Kidd, the officer to whom the prize was given in charge by the captor, that this latter was authorized to detain Portuguese vessels in conformity with the aforesaid Treaty.

A survey on board the aforesaid schooner "*Aguia*" having taken place, the result of which appears from page to page .

The arguments for the prosecution and for the defence being presented, after the inspection of the evidence by the parties.

The Mixed Portuguese and British Commission, with the intervention of the Arbitrator, adjudges the accusation of the said schooner "*Aguia*" being equipped and laden in contravention to the aforesaid Treaty, on suspicion of being destined for the traffic in slaves, to be not proved, and that it cannot proceed.

We therefore order that the custody of the persons and the detention of the vessel "*Aguia*" cease, and that vessel, together with her cargo, in the state in which they were found, be delivered to her master, Antonio Alves de Amorim, as soon as he or his representative shall have paid the costs and expenses of this process and adjudication, as well as those of the Interpreter, of the Marshal, and the amount of the rations and expenses occasioned by the survey; the vessel having no right to indemnification for losses, damages, or expenses resulting from the detention, in conformity with the stipulations of the 10th Article of the above-mentioned Treaty.

(Signed) GUILHERME CYPRIANO DEMONY,
The Commissioner on the part of Her Most Faithful Majesty.
FRANCISCO TRAVASSOS VALDEZ,
The Arbitrator on the part of Her Most Faithful Majesty.
GEORGE JACKSON (*overruled*),
The Commissioner on the part of Her Britannic Majesty.

Inclosure 14 in No. 77.

Report of the Case of the Portuguese schooner "Aguia."

St. Paul de Loanda, October 18, 1853.

THE ship's papers with which the above vessel was sailing at the time of her detention were, 1, the passport; this document dated Lisbon, 12th June, 1851, and signed by the Marquis of Loulé, Minister of Marine, declared the "*Aguia*" to have been built at Villa Nova de Gaia, to be of 105 tons, and to be the property of Joze Lopes Guimaraes, a Portuguese subject (without, however stating his domicile), and to be bound to Bahia.

On the back are the four following visas by the Portuguese Consul in that city, Joze Agostinho de Sales.

1st. For the ports of the coast of Africa, her actual owner being M. D. L. Vianna, and J. L. Gomes, master, who both signed a declaration on oath in conformity to the decree of the 10th December, 1836, to the effect, that the "*Aguia*" being found transgressing that decree by any Portuguese ship-of-war may be seized by her; the date, the 20th July, 1852.

2nd. For the same voyage and under the same conditions, with a new master, J. C. Marques, date 4th August, 1852.

3rd. For the same voyage and under the same conditions, the master being again changed to Antonio A. de Amorim; date, 9th August, 1852.

4th. For the ports of the coast of Africa, with the Master Alves de Amorim, who, jointly with her present owner, signed a declaration in conformity with the decree of the 10th December, 1836, to the effect that the vessel being found in contravention to that decree by any Portuguese ship-of-war, may be seized by her; date, 24th February, 1853.

2. Muster-roll of crew to the number of 14, attested by the Consul, and dated Bahia, 14th February, 1853, for a voyage to the ports of the coast of Africa and back to Bahia; with respect to this muster-roll it is to be remarked that one of the crew is a son of Cha-Cha (Souza), and that on the back of it is an endorsement dated two days later, declaring that another of the crew having fallen sick, Antonio Nogueira, the man said to have been more than once taken by Her Majesty's cruizers in slave vessel, had shipped in his stead.

3. Bill of sale of one moiety of the "*Aguia*" from the original owner J. L. Guimaraes to M. D. L. Vianna, dated 14th July, 1852, and a certificate attested by the Consul, bearing date the 20th of the same month, of the purchase by Vianna, in the Orphans' Court at Bahia, of the other moiety from certain Brazilian subjects; but the date of this latter purchase is not given.

4. Declaration on oath made by the owner and master of the "*Aguia*" to fulfil and religiously observe the provisions of the decree of the 10th December, 1836, in its several Articles from I to IX inclusive, coupled with a bond under a penalty of 20 contos of reis not to sell the vessel in any of the ports to which she was bound, but to return to Bahia. Attested by the Consul, 23rd February, 1853.

5. Two letters of orders from M. D. L. Vianna, owner to A. A. de Amorim, master of the "*Aguia*," the one dated Bahia, 13th August, 1852, the other 24th February, 1853. In the former the supercargo, Antonio Viera da Silva, is declared to be the owner; the latter contains an evident allusion to Cha-Cha.

The "*Aguia*" arrived in this harbour on the 8th August, 1853, in charge of Mr. John Oughton Kidd, acting mate of Her Majesty's brigantine "Spy."

Mr. Kidd having verified on oath the several papers which he transmitted to the Registrar on the 10th, the Court met on the following day, and having appointed an interpreter and marshal *ad hoc*, the latter took charge of the vessel, cargo, &c., on the 12th; and on the 13th, the usual monition having issued returnable in five days, the examination of the master commenced.

Monday the 15th being a close holiday, business was suspended, but on the 16th the examination of the witnesses was resumed, and continued without intermission till the 24th inclusive.

On the following day, the incident respecting the sealed letters arose, the consideration of which lasted till Saturday, the 27th, when Her Majesty's steamer "Myrmidon" having arrived, Lieutenant Jolliffe being proposed by the captor as surveying officer on his behalf, it was agreed to suspend the question of the letters, and a survey of the "*Aguia*," which had been previously prayed for by him, as well as by the claimant, was ordered to take place immediately; the latter naming the master of a Portuguese merchant vessel on his part, and the Court selecting to act as umpire between them, an officer in the Portuguese navy, in case of any difference of opinion appearing in their respective statements.

The survey commenced accordingly on the 29th, and on Saturday the 3rd September the Court met to receive the reports of the surveying officers.

Lieutenant Jolliffe gave in his in writing; the other two not being prepared with any written statement, were examined verbally, as was also Lieutenant Jolliffe in explanation and support of his written opinion.

These several interrogatories, which elicited no material difference beyond that of opinion on some of the points raised between the three surveying officers, terminated on the 6th September, when Her Majesty's Commissioner re-urged the opening of the letters. This was opposed by the Commissioner of Her Most Faithful Majesty, and lots were drawn in consequence for an Arbitrator to decide between them. The lot falling on the Portuguese Arbitrator, he delivered his opinion against their being opened on the 12th.

Three days were then allowed to seizor and claimant to give in their respective allegations. This was done by the former on the 15th, and by the latter on the 20th, when neither party having anything further to submit, the whole proceedings were laid before the Commissioner of Her Most Faithful Majesty on the 21st, who was prevented by indisposition from giving his opinion on the sentence to be pronounced till the 30th.

On that day the two Commissioners respectively gave their votes, Her Majesty's Commissioner for the condemnation, the Portuguese Commissioner for the restoration of the "*Aguia.*"

On this the Arbitrator, on the part of Her Most Faithful Majesty, on whom the lot had previously fallen, was summoned; and on Friday, the 7th instant, his opinion, dated the 5th instant, coinciding with that of his colleague; after which the final sentence, drawn up and signed the day before by the Commissioner of Her Most Faithful Majesty, was read by the Portuguese Abitrator (who presented a medical certificate declaring that the former was confined to his bed by severe illness and unable to attend personally), the same having previously received his own signature confirming that of his colleague.

Her Majesty's Commissioner then signed it as overruled, having with reference to that clause of the final sentence which makes the surrender of the "*Aguia*" and her cargo to her master dependent on his previous payment of the costs of suit, including those of the interpreter and marshal, and of the survey, recorded the following observation:—"That having been overruled as to the final sentence any decision arising out of the same would be signed by him (the Commissioner) without pretending to enter into an examination either of the justice or injustice of such decision."

The claimant's proctor having used a great latitude of expression in his defence of the ship,

and some of the remarks in which he allowed himself appearing very objectionable to the Court, it called upon him for an explanation. In reply he apologized very fully, disclaiming all intention to offend; and this being recorded in the process, it was not thought necessary to take any further notice of the matter.

(Signed) GEORGE JACKSON.
EDMUND GABRIEL.

No. 78.

Her Majesty's Commissioners to the Earl of Clarendon.—
(*Received January* 3, 1854.)

My Lord, *Loanda, September* 16, 1853.

THE captor's proctor having presented the annexed Petition, praying that certain sealed letters found on board the "*Aguia,*" before and after capture, might be examined, and the claimant's proctor having been heard in reply, the oft-debated question as to the inviolability of sealed letters again arose; when the two Commissioners not agreeing with respect to the answer to be returned to the Petition, recourse was had to arbitration, and the lot fell on the Portuguese Arbitrator to decide between them.

The Portuguese Commissioner did not, on this occasion, give in any paper, contenting himself with referring to the written arguments he had previously, and specially in the case of the "*Galiana,*" which occurred in 1849, advanced against such a proceeding as being unconstitutional; but Her Majesty's Commissioner having, in his opinion, which is inclosed herewith, cited the Regulations for the guidance of the Commissioners in aid of his argument, his colleague immediately proceeded to question their authority, and to argue the matter afresh, recording his observations on both points in the process before the Court, which rendered it necessary for Her Majesty's Commissioner to do the same. The observations on both sides are given in Inclosure D, and took place on the 7th September; on the 12th the Portuguese Arbitrator delivered his opinion, inclosed herewith, refusing, in accordance with the view taken by the Portuguese Commissioner, to open the letters.

The above papers, my Lord, forwarded all in translation, would seem to embrace whatever can be urged on this question on either side, and show clearly that, unless otherwise instructed from Lisbon, the Commissioners of Her Most Faithful Majesty are sure, under every circumstance, to oppose the opening of any letters found on board prizes; a conviction which induces us respectfully to submit, how very desirable it is that this question should be once for all set at rest by an understanding between the two Governments, were it only to avoid unnecessarily protracting the proceedings in each successive case.

We have, &c.
(Signed) GEORGE JACKSON.
EDMUND GABRIEL.

Inclosure 1 in No. 78.

Petition of Captor's Proctor, praying for the opening of the Letters found on board the "Aguia."

(Translation.)

To the Commissioners of the Mixed Commission at Loanda. *August* 24, 1853.

ON the part of the captor of the Portuguese schooner "*Aguia,*" we represent that there being some letters annexed to the process of the said vessel which are sealed, and were seized in conformity with the Treaty of the 3rd of July, 1842, Article III, the contents of which may greatly tend to corroborate the accusation now pending before this Tribunal, we request that you will order them to be opened, and that they may remain in the process as one of the means of proof. This petition is based on the above-mentioned Treaty, Annex B, Article IV, and is even authorized by the Portuguese legislation, the Judicial Reform, Articles 914, 915, 916, by the Regulations of the Public Ministry of the 15th December, 1835, Article V, and by the Portaria of the 31st August, 1838, and in a similar hypothesis authorized by the Commercial Code, Articles 1158, 1167, 1169, and 1180; finally, we hope that the doctrine of the Constitutional Charter of 1826, Article 145, sec. 25, and the Ordinance of the 5th Book,

Title VII, sec. 5, will not be considered as opposed to this petition; as by the former law the inviolability of the secresy of letters delivered at the post-office is established, and by the latter when the letters are entrusted to a private individual; neither of which hypotheses can be considered applicable to what is prayed for in support of the accusation, because in presence of this accusation the right established by these two last laws ceases, and the first cited laws which specially regulate the commencement of every accusatory process ought to prevail—such being the case in the present instance; and accordingly we pray you to grant this our petition.

(Signed) DR. FRANCISCO JOAQUIM FARTO DA COSTA,
The Proctor.

Hall of the Sessions of the Mixed Commission,
Loanda, August 24, 1853.

The Secretary of this Commission will deliver the present petition to the proctor of the master of the detained vessel "*Aguia*," that he may, within twenty-four hours, offer any considerations he may think proper in reply.

(Signed) GEORGE JACKSON.
DEMONY.

Inclosure 2 in No. 78.

Reply of Claimant's Proctor.

(Translation.) *Loanda, August* 25, 1853.

To the Commissioners of the Mixed Commission at Loanda.

IN compliance with your minute in reply to the above petition, in which it is prayed that some private letters which were found at the time of the detention of the vessel, in defence of which I appear, may be opened, it is my duty to submit to the consideration of this Tribunal, that the Treaty of the 3rd of July, 1842, which constitutes the only and special law for the present case, having been very precise and scrupulous in establishing the grounds and indications for the proof in processes of this nature, in none of the Articles, either of its context or annexes, has it determined that private letters ought to be opened, and their secresy violated, never making any reference to them when it speaks of the papers of the detained vessel, thus respecting the dispositions of the fundamental law of the kingdom quoted *ex adverso*, to which such a proceeding, if authorised, would be opposed. It is an undoubted principle in jurisprudence, that penal statutes are never to be amplified, but rather restrained as much as possible, rejecting the analogy of cases not therein specified; this is sufficient to convince us of the inapplicability of the Judicial Directions, of the Portaria, and of the Articles of the Judicial Reform—all which regulations, moreover, if they were allowed to constitute the law for the present case (which is ruled by another special one), would only authorize the opening of the letters at the time of the detention, and in the presence of the owners of the letters (in the given case of there being any delinquent) and of two witnesses. The same may be said respecting the Articles of the Commercial Code quoted with still more remote analogy—or rather with no application at all. This pretension, therefore, opposed alike to propriety and the law, far from assisting in the discovery of the truth, might very often (if it were admitted, which is not to be expected) give rise to great injustice and error, occasioned by some bad-intentioned person having forged false letters, and clandestinely introduced and mixed them with those of the vessel. By this we do not mean to make any offensive suppositions with reference to any one particular person; we only refer to the possibility of such an occurrence, which sad experience shows has too often been converted into a reality with irreparable injury to the innocent.

Lastly, if the petitioner himself, on the one hand quotes the law (Constitutional Charter) which prohibits the violation of the secresy of private letters by the public authority (represented by the post-office), and on the other hand, the law which prohibits (Ordinances of the Kingdom) the same violation with respect to individuals, what more is wanting to acknowledge and consider such opening of letters and such a claim as arbitrary, odious, and illegal in all respects, whether with reference to a Tribunal of this nature, or to the respectable persons that compose it. For these and other reasons, that doubtless have occurred to the discernment and rectitude of the same Tribunal, a former petition of a similar nature has already, as we understand, been rejected on the occasion of the trial of the brig "*Galiana*." Such, we hope, will be the case now.

(Signed) DR. CARLOS BOTELHO DE VASCONCELLOS,
The Proctor of the detained Vessel

Inclosure 3 in No. 78.

Opinion of the British Commissioner.

(Translation.) *Loanda, September* 7, 1853.

THE claimant's proctor having in his argument on the 25th ultimo quoted, in support of his opposition to the opening of the letters prayed for by the captor, and as a precedent to influence the judgment of this Court on the present question, its decision in a former case, that of the brig "*Galiana*," tried in the year 1849; it becomes the duty of the British Commissioner, on giving his opinion respecting this question, to make some observations which he would otherwise have deemed superfluous. It is true, that the eminent lawyer who then occupied the post of Portuguese Commis-

sioner declared against such a proceeding, and that his opinion did, in fact, prevail, strengthenened by that of his colleague, the Portuguese Arbitrator, on whom the lot fell to decide the difference between the two Commissioners; but it is no less certain, that the British Commissioner was of a contrary opinion, and that he was very urgent that the sealed letters found on board the "*Galiana*" should be opened by order of the Court. He still holds the same opinion as regards the present letters, not only because the regulations which serve as a rule for this Commission make a very clear distinction between the ship's papers and the papers or letters found on board, marking such distinction in various parts of its context; but also because the secrecy of letters mentioned in the Constitutional Charter refers solely to those committed to the post—an inviolability which the British Government holds in such respect, that the instructions given to its Commissioners declare that any or every paper bearing the appearance of being addressed from one Portuguese functionary to another, which may be met with on board a slave vessel, shall be forwarded to its destination by the first opportunity. This inviolability, however, can never be considered as extending to private letters found in the possession of individuals brought before this Court for trial, suspected of a crime which Great Britain and Portugal have mutually declared to be a strictly prohibited and highly penal and piratical crime. This Court, moreover, is an exceptional one, as are all its proceedings, and accused persons cannot be reputed as entitled to the same privileges as those who are not under any accusation. Besides which, no injury can accrue either to the sender or receiver of such letters, supposing them to be guiltless, from the opening of them, when entrusted to the rectitude of sworn functionaries named by the respective Governments. So far from it, that it would even seem that those whose interests would be best served by the opening of those letters would be the captured parties themselves, provided they were conscious of their innocence.

For the foregoing reasons, and because it is the strict duty of this Court to arrive at the truth by every possible means, the British Commissioner is of opinion that these letters should be forthwith examined, in order to their being appended to these proceedings, in case any indication of criminality should be discovered in them, or to their being given up to the master of the "*Aguia*," should that vessel be restored.

(Signed) GEORGE JACKSON.

Inclosure 4 in No. 78.

Observations by the respective Commissioners.

(Translation.)

THE Commissioner on the part of Her Most Faithful Majesty, perceiving that in the opinion of the British Commissioner are cited the Regulations which serve as rule for this Commission, has to declare that he knows no other authorized Regulations to serve as a rule for this Commission than Annex B to the Treaty, not intending, however, this declaration to be understood as meaning that he will fail to take a guide for its proceeding the regulations with which the British Government furnished its Commissioners whenever the same shall be found compatible and consistent with the Treaty, and then, correcting himself, he said that the expression, "whenever compatible and consistent with the Treaty" referred to his, the Portuguese Commissioner's, understanding of it; observing further, that the rule laid down in the fundamental law cited by him is absolute; and moreover, that in the process of the "*Galiana*," which occurred in 1849, he had already delivered an opinion on the same identical point, in which opinion, in accordance with that of the then Portuguese Commissioner, he, as Arbitrator, stated the grounds on which he had formed it, and to which he now referred. He then proceeded to point out to the Portuguese Arbitrator, on whom the lot had fallen to decide the difference between the two Commissioners, the 1167th Article of the Portuguese Commercial Code, in which is especially mentioned the question of letters—remarking, that the aforesaid Code being a special law for commerce, that question is especially referred to, from which he inferred that the Treaty of the 3rd July, 1842, being a special law for the trial of captured slave vessels, it would in the same manner require a special stipulation to authorize any provision in opposition to the fundamental law. The British Commissioner then said, that inasmuch as the different opinions given in this Court on this subject, as well as the authorities cited by the respective proctors, were now before the Arbitrator, it becomes unnecessary, if not improper, for him to direct his attention to considerations which assuredly will not escape his discernment; still, however, that he begged leave to submit that the Article of the Judicial Reform 914, as well as the Portaria of the 31st August, 1838, no less than the Article 1167, cited by the petitioners, go to establish the principle that the provisions of the Constitutional Charter admit of exceptions. As regards that Article of it which treats of the inviolability of letters, its very context rendering the Post-office authorities responsible for any infraction of the same, seems to prove that it only refers to letters committed to the post; adding, in conclusion, that he was desirous of calling the attention of the Arbitrator to the minute of session of the 24th July, 1845, and to the decision then come to by the respective Commissioners with regard to an official letter from the Portuguese Consulate at Bahia to the collectors of the custom-houses of the islands of St. Thomas and Princes, which letter formed part of the papers found on board the Portuguese schooner, "*Graciosa Vingativa*," brought before this Court for adjudication; on this occasion the Commissioners decided that it should be sent to the Post-office to be forwarded to its destination, reserving themselves, at the same time, to consult their respective Governments as to the mode of proceeding, should any letter of this nature be in future found among the papers of a condemned vessel. From this decision two conclusions may be drawn: first, that the objection to the opening of the letter in question arose from the fact of its being an official letter, addressed by one Portuguese authority to another; secondly, that the Portuguese Commissioner, at that period, did not consider the point in question as beyond all doubt, and so definitively settled by the provisions of the Constitutional Charter as to hesitate in agreeing to consult his Government on the subject.

Inclosure 5 in No. 78.

Opinion of the Portuguese Arbitrator.

(Translation.) *Loanda, September* 10, 1853.

THE lot having fallen on me, as Arbitrator in this Mixed Commission, to decide whether the letters found on board the detained vessel "*Aguia*" ought to be opened, as prayed for by the captor's proctor, and maintained in the opinion delivered by the Commissioner of Her Britannic Majesty; or whether such letters should remain sealed and inviolable, as the claimant's proctor contends in reply, and as the Commissioner of Her Most Faithful Majesty maintains in his opinion; after having conferred with said Commissioners on the point in question, and seen and well examined the several papers that have been presented to me respecting this case already so much discussed, as well on occasion of the process of the prize "*Galiana*" as of the actual one, the "*Aguia*:" it remains for me only to declare my opinion, which I ground on the following considerations:—

1st. The law which only I am bound to recognise in this Tribunal, is the Treaty of the 3rd of July, 1842, and its Annexes; and there I do not find that any mention is made of letters, nor that such is understood; because if in the Article II, sec. 3 of the Treaty it is said, "If it appears from the search that the papers of the vessel are in regular order," I must conclude that the same holds good respecting the Article IV of Annex B, which has evidently, in my opinion, reference to the Section 3 of the 2nd Article of the Treaty; for I am of opinion that these papers are the same the officer examines when the visit takes place, and those that the Mixed Commission, in conformity with the Article IV of Annex B, has afterwards to examine and verify, it being impossible, by the relation which these two Articles bear to each other, to understand that letters are papers belonging to the vessel.

2nd. This Tribunal being exceptional, it is beyond all doubt that the Commissioners would not be entrusted with indeterminate powers, but, on the contrary, with determined and precise ones; and this is shown by its being expressly specified what are the indications, circumstances, &c., that the Judges have to attend to; and it is precisely because the fundamental law was susceptible of alteration in this or in that case, that in other tribunals that have regulations of their own and laws to guide them, the actual occasions in which alone so sacred a right could be altered, were established in the Commercial Code. And if such had been the wish of both Governments, they might have done the same in the Treaty and its Annexes, in which, moreover, both Governments were very precise; besides which, on examination of the Regulations or Guide with which the British Commissioners were furnished by their Government, not even there, I think, do we meet with any clause that may justify the opening of letters, inasmuch as mentioning in several parts that all papers found on board ought to be produced, without mentioning letters, this document afterwards specifies that "If any letters or papers were delivered up at any other period than at the time of capture," in which I perceive a distinction between letters and papers. And finally, the said Regulations direct the Commissioners to examine, in the first place, the papers of the detained vessel. And so far is the Treaty from permitting the letters to be opened and examined, as the Commissioner of Her Britannic Majesty deems allowable, declaring that such is evident from the contents of the Regulations referred to; that, as was asserted, and with great reason, by the Commissioner of Her Most Faithful Majesty, we, the Commissioners and Arbitrators on the part of Her Most Faithful Majesty, have no other authority to guide us than the Treaty and its Annexes, which only we swore to observe.

3rd. The Constitutional Charter (recognized by England), Article CXLV, section 25, says: "The secrecy of letters is inviolable. The Post-office authorities are responsible for any infraction of this Article." Therefore, in my opinion, and I think in that of the whole Portuguese nation, it cannot be admitted that the first part of this Article CXLV, section 25, should be made subordinate to or a consequence of the second part.

4th. So numerous are the means of depravity already existing, that affording facility to malice or intrigue, to open letters—in case such a proceeding were possible—ought not to be further added to them.

5th. Once opened, it would perhaps afford no proof, however bad the case may turn out, that the persons to whom the letters were addressed were conniving in any plans alluded to in any way in the correspondence which had been put on board the vessel sealed.

6th. As nothing certainly would be gained by the opening of the letters, however I may be convinced, as the Commissioner of Her Britannic Majesty well observes, that the reading of them would be advantageous to show the innocence of the captured party, I fear that they would only prove prejudicial and disagreeable to third persons, who have nothing to do with Slave Trade or the affairs of the vessel "*Aguia*," by making public family secrets.

7th. Besides this, Portuguese vessels are obliged to receive the letters from the Post-office, and it would be unnecessary to make here any remarks on the importance of this circumstance.

8th. Notwithstanding this being an exceptional Tribunal, I have already said that I deem its proceedings very clearly laid down, and, what is exceptional, specified; and though the captured party and the vessel lay under the accusation of being suspected as employed in the Slave Trade, a crime declared to be piratical by the Governments of their Majesties, I do not consider them, on that account, less entitled to the privileges conceded by the law, so long as the final sentence of the Tribunal be not pronounced, seeing that it is only by their condemnation that they can be considered as guilty; and even then, in Portugal and the whole of the possessions of Her Most Faithful Majesty, they would still have the advantage of the respect accorded to the secrecy of sealed letters.

9th. Respecting what occurred in the case of an official despatch found on board the prize "*Graciosa Vingativa*," addressed by the Portuguese Consulate at Bahia to the Directors of the Custom Houses of St. Thomas's and Prince's, I observe that the then Commissioner on the part of Her Most Faithful Majesty expressed no doubt as to the propriety of sending the official despatch to the Post-office, because he judged that the said despatch (as doubtless he would do with regard to the letters found on board the "*Aguia*") could have no other legal destination; and if he decided on asking instructions from the Government of Her Most Faithful Majesty respecting such cases, it was,

in my opinion, because, certain of the inviolability of the secrecy of letters, he yet wished to be instructed whether they were to be sent to the Post-office or to be burnt, as in cases like this and even at the Post-offices is sometimes practised (according to the circumstances) in Portugal and its colonies, or likewise because being an official despatch it was the property of the Government.

10th. Finally, if on opening the letters proofs should appear, they ought not to be dealt with as such in the case of letters taken, kept, and given up after so long a time as generally elapses between the detention of a vessel and her being brought in for adjudication.

Therefore, with all the foregoing considerations in view, my vote is: That the petition of the captor's proctor, in which it is prayed that the letters found on board the detained vessel "*Aguia*" may be opened, be rejected.

(Signed) FRANCISCO TRAVASSOS VALDEZ,
The Arbitrator on the part of Her Most Faithful Majesty.

No. 79.

Her Majesty's Commissioners to the Earl of Clarendon.—
(Received January 3, 1854.)

My Lord, *Loanda, October 5, 1853.*

WE have the honour to inform your Lordship, that the Visconde do Pinheiro arrived here on the 28th ultimo, on board the Portuguese steamer of war, "Duque de Saldanha," and on the following day was sworn in as Governor General of this province and its dependencies.

The appointment of the above officer, and every particular relating to it, are so well known to your Lordship, that it would only be to trouble you prematurely to say more at present than that in the Proclamation issued by his Excellency on assuming the Government, he mentions pointedly, as the objects for the promotion of which all should co-operate, the complete extinction of the infamous Traffic in Slaves, and the development of licit commerce and agriculture—the only basis of the grandeur and welfare of all nations, and especially of this fertile country.

We have since, at an interview with which the Mixed British and Portuguese Commission has been honoured by his Excellency, had the satisfaction of hearing him express the same sentiments, accompanied by the assurance that he only spoke those of his Government, and that he was determined in the fullest manner to act up to them.

Nothing could exceed the courtesy with which his Excellency received us personally, or be more satisfactory than the professions of his readiness to concur with us in all that could contribute to the total extinction of the Slave Trade in this province.

Captain Graça, the late Acting Governor, instead of resuming the command of the Portuguese naval force on this station, has decided on returning to Lisbon, and the squadron is now, therefore, permanently under the orders of Captain J. M. da Silva Rodovalho, who arrived here a short time ago from the capital, while Captain Graça was still acting as Governor General, to take provisional command of it; and from the zeal and activity displayed by this officer some years since when employed on this coast, we may venture to hope that he will make the most of the small force he has at his disposal.

We have, &c.
(Signed) GEORGE JACKSON.
EDMUND GABRIEL.

No. 80.

The Earl of Clarendon to Her Majesty's Commissioners.

Gentlemen, *Foreign Office, January 7, 1853.*

I HAVE received a duplicate of your despatch of the 5th of last October, stating that Viscount de Pinheiro, the new Governor-General of the province of Angola, had reached Loanda on the 28th of September, and had, both in his Proclamation and in the interview which you had with him, declared his intention of co-operating by every means in his power to put down the Slave Trade.

And I have to inform you that Her Majesty's Government have learnt with satisfaction the favourable opinion entertained by you of the new Governor of Angola.

I am, &c.
(Signed) CLARENDON.

No. 81.

Her Majesty's Commissioners to the Earl of Clarendon.—
(*Received January* 9, 1854.)

My Lord, *Loanda, September* 10, 1853.

1. WE have the honour respectfully to call your Lordship's attention to the following narrative, which, however, for greater conciseness, although bearing our joint signatures, Sir George Jackson has taken the liberty of drawing up in the first person.

2. On the 7th ultimo a barque under American colours, called the "*Republic*," of 198 tons, with a motley crew of 11 men, with scarcely a native American among them, and five Cabenda sailors, entered this port, 80 days from New York. Her entry was published in the "Boletim Oficial" as with "agoardente e miudezas." Her actual cargo appears from the inclosed copy in translation of her manifest.

3. The arrival of a vessel of this size with so insignificant a cargo from New York at once attracted attention, and it was soon bruited about that her real object was to ship slaves. This report gained ground every day, more especially when it became known that the supercargo of the barque, who had chartered the vessel and to whom the cargo was said to belong, was a subject of Her Most Faithful Majesty, describing himself as José Antonio Lopez de Lemos, Portuguese merchant; and on the eve of her sailing from this port, viz., on the 18th of last month, Her Majesty's Commissioners received an anonymous letter to the following effect: "That the American barque '*Republic*' is destined to receive a cargo of slaves belonging to the slave-agent Francisco Antonio Flores, and that the needful preparations were already made at two different spots, one to the north the other to the south of Ambriz."

4. On receipt of this communication I thought it right to place it before the Acting Governor-General without delay, directing his attention very particularly to the fact of the supercargo being a Portuguese. His Excellency observed that this was the first intimation he had received of any such attempt being to be made by the "*Republic*," but that he would that same afternoon, Friday, the 19th, take measures with reference to it, leaving me to understand that I should be duly informed of the result.

5. Nothing further occurred till the 22nd, when meeting the Governor-General accidentally late in the day, I inquired what steps had been taken by his Excellency, and in what they had issued. It then quickly appeared that the first impression which seemed to have been made upon him by the perusal of the anonymous denunciation had been considerably weakened;—he saw nothing extraordinary or suspicious in the circumstance of a Portuguese subject appearing as supercargo of an American vessel bound from New York to the coast of Africa; and he did not, his Excellency said, know how he could interfere with such a speculation; adding, however, that he should see the papers of the vessel and those of the supercargo in the morning, and that I might then, if I liked, come and inspect them. I thanked him for his offer, and said I should be ready to obey his summons; on which his Excellency very abruptly remarked, "I don't see, Sir, what right you have to look at these papers." The reply was obvious, viz., to remind his Excellency that the offer to show them to me had been spontaneous on his part, and to disclaim all right on mine to what I regarded as a proffered favour. "If asked as a personal favour—certainly," was his Excellency's answer; to which I once replied, that I by no means asked it as a personal favour to myself, for that the inspection of these papers was of no interest to me individually, but as a matter in which the wishes and views of

both our Governments were deeply and mutually concerned. His Excellency then promised to send to me as soon as the papers were brought to the office. I remained at home accordingly, in expectation of being summoned to the Government Palace, till 12 o'clock the following day, when I was obliged to attend the trial that was going on of the prize "*Aguia*." No communication, however, reached me, and it was only on my return to my house after business hours that I learnt that a person had called, during my absence, with a bundle of papers, which he had refused to leave, and which was unaccompanied by any letter or message whatever. This was the more extraordinary as my residence adjoins that of his Excellency's; who, moreover, was well aware that the Mixed British and Portuguese Court was that day in session.

6. Having little doubt whence the bundle of papers had been sent, I should have repaired the following day to the Government Palace, but that I had heard in the interim from Her Majesty's Vice-Consul of the statement made to him by an individual who had come in the "*Republic*" as second mate, the substance of which is subjoined herewith; and I conceived that any further representations I might make on this subject would acquire so much additional strength by the exhibition of such a document that I determined to wait till, armed therewith, I might be able to enforce them in such a manner as it would not be easy to withstand. Unfortunately, however, this document did not reach me till after the "*Republic*" had been allowed to sail, and the supercargo in her; which latter concession I certainly was the less prepared for, because on the Monday his Excellency had positively refused the supercargo a passport, saying, the vessel's papers are all in order and she may sail, but this Portuguese must not be permitted to go in her.

7. The sun had set on Tuesday, the 23rd August, and the "*Republic*" was still in this harbour; but, contrary to the port regulations, when night shut in, she had quitted it.

8. On waiting on his Excellency the following morning to show, with the above-mentioned document in my hand, the true character of the individual whom he had thus allowed to escape, he said he could not act otherwise than he had done; that he was not prepared to encounter the risk of costs and damages to which he should have been liable, if the supercargo had thrown up the vessel and cargo—a menace which is known to have been held out; and then made a personal appeal to me as to the course I would have pursued, supposing me to have found myself in the situation of his Excellency. To this I replied that, it was not for a British functionary to suggest to Portuguese authorities what steps it was incumbent on them to take in such a case; that, if any legal doubt existed, the "Delegado" was at hand to consult; but that, if the question were put to me, I must frankly say that, in a case affording such strong grounds of suspicion as did that of the "*Republic*," I would not have permitted either vessel or surpercargo to proceed until after a most minute and careful investigation of every particular connected with both the one and the other, and a no less rigorous search of the vessel, in conformity, in the one case, with the Treaty engagements between the two Crowns for the suppression of the Slave Trade, and in the other, with the requirements of the Decree of the 10th December, 1836.

9. How far these latter had been complied with his Excellency could best say, but the departure which had occurred from the aforesaid regulations, and the statements themselves contained in the registry taken of the "*Republic*" by Her Most Faithful Majesty's brig-of-war "Serra do Pilar," and which his Excellency now put into my hands as a proof that there were no grounds for detaining her, did not appear to me to bespeak a very rigorous observance of them. From the inclosed translated copy of this registry your Lordship will be best able to form your own conclusions.

10. His Excellency now began to show signs of impatience, at first denying the fact of the "*Republic*" having sailed after sunset, and then throwing the responsibility on the port authorities whose business it was to see to such matters.

11. Feeling the great importance of putting a stop, if possible, to the "*Republic's*" adventure, I should gladly, my Lord, have requested the concurrence of my colleague in a joint written representation to the acting Governor-General on this occasion; but, in the first place, I did not see the papers of the "*Republic*" till after she had sailed, and, secondly, not having

been honoured with any instructions in reply to the inquiries referred to in our despatch of the 22nd of March last, I did not feel myself at liberty to do so; at the same time, to give every possible weight to my representations, and to show to his Excellency, whose previous habits and avocations, together with his recent tenure of office, make him feel new to his present duties, that I was not intruding upon him without warrant, I read to him Viscount Palmerston's despatch to Sir H. Seymour of 14th April, 1851, as published in the papers laid before Parliament. His Excellency, however, listened with evident reluctance; again asked what he could have done; said that, if he had seen the statement I had now shown him relative to the supercargo before he had given him his passport, he would have withheld it; but that as the case stood when it was granted he saw no reason for refusing it, and that he was not disposed to incur the responsibility of having an action brought against him for damages; and ended by complaining of the various annoyances which had attended his administration of this Government, and that now I had come with these importunities to add to them. The mischief being past remedy, I expressed only my regret that I should be thought to be adding to the distressing circumstances to which his Excellency had alluded, and took my leave.

12. The papers laid before the Acting Governor-General by the Portuguese supercargo consisted, besides the manifest, of a passport from the Consul of Her Most Faithful Majesty at New York to proceed to Loanda, and a declaration on the back of the passport or clearance of the vessel made by the respective parties, and attested by the Portuguese Consul at New York, of a charter party having been entered into between José Antonio Lopez de Lemos and a firm of the name of Valentim M. Babbage, a Spanish house of that city, for the hire and freight of the "*Republic*" for seven months, for a voyage to the coast of Africa and back; and accordingly the passport the supercargo applied for here, in exchange for the one he brought with him, was to proceed hence to the ports of the coast of Africa generally, without specifying which of them, or whether to those of the north or south coast.

13. The passport so given him had on it, as security, a name well known in Slave Trade transactions; to which is further to be noticed, that the individual who figures as consignee of the "*Republic*," as appears in the above registry, is the bankrupt slave-merchant Francisco Barboza Rodrigues, who failed for a large amount in 1851, and who is now taking an active part as the agent or clerk of another house, not hitherto so openly and exclusively devoted to Slave Trading as he himself was, but which is, nevertheless, now closely connected with Francisco Antonio Flores, who was and is, there is little doubt, the real consignee and agent of the "*Republic*."

We have, &c.

(Signed) GEORGE JACKSON.
EDMUND GABRIEL.

Inclosure 1 in No. 81.

Manifest of the American barque "Republic."

(Translation.)

Agoardente.
Cigars.
7 barrels containing heads of casks.
101 bundles of shakes.
40 bundles of iron hoops.
1 box of cooper's nails.
6 barrels of rice.
8 cases of salt fish.
2 „ of salmon.
2 „ of tongues.
1 „ of mackerel.
2 „ of preserved herrings.
1 barrel of salt herrings.
8 „ of salt beef.
4 „ of salt pork.
Wine.

Oil.
4 barrels of beans.
4 bags of peas.
3 barrels of lard.
½ barrel of tongues.
Hams
Potatoes.
Onions.
Agoardente.
Biscuit.
2 cases of copper.
1 barrel of small nails.
Salt meat.

Inclosure 2 in No. 81.

Substance of a Statement by the late Second Mate of the "Republic."

THAT he had consented to be discharged from the "*Republic*" in consequence of repeated misunderstandings with the master and supercargo; that he believed the latter was anxious to have him out of the ship, from his knowledge of past Slave Trade speculations; that in May, 1849, he, Wood, embarked at Rio de Janeiro in the American brigantine "*Deposit*," of Boston, of which vessel the present supercargo of the "*Republic*" was then trading master and part owner, ostensibly bound to the River Plate, but as it turned out, for the coast of Africa; that he, Wood, was ignorant of the nature of the voyage until they were at sea; that this vessel came to the coast completely equipped for the Slave Trade under American colours, but had also Portuguese and Brazilian colours on board; that on reaching the coast they first made Great Fish Bay, where they were joined by the present supercargo of the "*Republic*," in the barque "*Esperança*," a vessel subsequently lost on the coast, and of which he was also trading master; that they expected their slaves to be brought to them at Great Fish Bay by a steamer then said to be on the coast; but this steamer not appearing, they proceeded to Egito, where they embarked a cargo of slaves; but all the arrangements were made, and the shipment actually superintended, by the supercargo of the "*Republic*;" that on reaching the coast of Brazil, and being chased by the British war-steamer "Rifleman," near Cape Frio, they abandoned the vessel, and the crew escaped on shore, having landed the greater part of the slaves.

Inclosure 3 in No. 81.

Registry of the "Republic."

Naval Station.

Registry of Departure taken by the brig "*Serra do Pilar*," August 23, 1853, 5h. 30m. p.m.

Quality and Nation	American barque.
Name of the ship	"*Republic*."
Tons	198.
Owner	Valentim M. Babbage.
Master	James Smith.
Crew	12.
Destination	New York, viâ Ambriz and the ports to the north.
Consignee	Francisco Barboza Rodrigues.
Cargo	Agoardente and various small articles.
Passenger	Joze Antonio Lopez do Lemos, proceeding from Loanda to New York.

This vessel underwent a rigorous search by me, Guarda Marina Moreira, a petty officer, a caulker, a carpenter, a cooper, and some of the crew; and on board of her there was merely found the following, which could create suspicion that she was destined for Slave Traffic:—101 bundles of shakes; 40 bundles of iron hoops, 7 barrels containing heads of casks,—all which articles were entered in the manifest, and consequently the said vessel was duly allowed to proceed.

(Signed) JOZE MARIE PACHEA MOREIRA.

No. 82.

Her Majesty's Commissioners to the Earl of Clarendon.—
(Received January 9, 1854.)

My Lord, *Loanda, September 10, 1853.*

1. THE name of Francisco Antonio Flores appearing as mixed up with the adventure of the "*Republic*," naturally afforded an excellent opportunity to impress upon the mind of the Governor-General how hopeless it was to expect to see the extinction of the Slave Trade in this province so long as that

individual shall be allowed to remain in it. His Excellency, in reply to this observation, resorted again to the oft-repeated assurances that he by no means pretended to defend Flores, but that he must have certain grounds to go upon; that suspicion, however strong, is not sufficient; that, though he had often heard the accusation of his being engaged in Slave Trade transactions brought against Flores, yet it never had been proved. To this it was urged that, even if there were wanting proofs sufficient to warrant legal proceedings against him, and to render him amenable to the law, still there was surely more than sufficient to justify administrative measures against him; that he was a foreigner residing in this province on sufferance, and under special license from Her Most Faithful Majesty; that it was too notorious to require repetition that his proceedings were in constant and direct violation of the conditions on which that license was granted, and that, at all events, the concession itself was an indulgence which might be withdrawn at pleasure—the same hand which granted might alike revoke it.

2. Having since this conversation read the speech of the Brazilian Minister for Foreign Affairs, in reply to charges brought against his Excellency in the Brazilian Chambers, of having sent the Portuguese subject, Manuel Pinto Fonseca, out of the country after he had been tried as an infractor of the Brazilian law against Slave Traffic, and acquitted by the jury of Bahia, it appeared to be so much a case in point, and that the reasoning of Senhor Paulino was so exactly applicable to that of Flores (with this essential difference, however, that the latter had not even the advantage of an exculpatory sentence in his favour), that occasion was sought to bring it under the notice of the Governor-General by entrusting the extract which gives the argument of the Brazilian Minister to a third person, who returned it with the assurance that his Excellency, on reading it, declared that he will have no hesitation in putting in practice the measures adopted by the Brazilian Government when once authentic proofs to justify the suspicions in question shall be laid before him.

3. As this assurance, however, though conveyed in different phraseology, engages his Excellency to nothing more than what he has so often previously stated, inasmuch as the amount of proof he may require to bring conviction to his mind depends only on himself, your Lordship will see that if the expulsion of Flores from this province is to be effected, it can only be by a direct and energetic application to the Court of Lisbon on the part of Her Majesty's Government. We have the honour to inclose herewith, for your information, a translation of the extract above referred to.

We have, &c.

(Signed) GEORGE JACKSON.
EDMUND GABRIEL.

Inclosure in No. 82.

Extract from the Speech of the Brazilian Minister for Foreign Affairs on the expulsion of Manuel Pinto Fonseca.

(Translation.)

THE Court at Bahia could only form its decision on the proofs and documents which were laid before it, having to punish the crime imputed to this foreigner; but the Government did not need the same means to enable it to form its conviction, and to authorise the administrative measure of sending this Portuguese subject out of the empire. The one measure has absolutely no connection whatever with the other. If the Government were authorized, even before any sentence was pronounced, to expel this foreigner without bringing him to trial, the fact of his having been brought to trial in no way altered its right to do so. The Court could not form its decision, actuated by the same motives, the same information, the same grounds of suspicion, that the Government possessed. The judicial power required, in order to try and to condemn this individual, proofs very distinct from those which were sufficient to authorise the Government to expel him.

No. 83.

The Earl of Clarendon to Her Majesty's Commissioners.

Gentlemen, *Foreign Office, January* 12, 1854.

I HAVE received your despatch of the 10th of September, reporting the representations which you had made to the Acting Governor of Loanda respecting the suspicious circumstances connected with the arrival at and departure from Loanda of the American bark "*Republic*;" and I have to acquaint you that I approve your proceedings in this matter.

I am, &c.
(Signed) CLARENDON.

No. 84.

The Earl of Clarendon to Her Majesty's Commissioners.

Gentlemen, *Foreign Office, January* 12, 1854.

I HAVE received your despatch of the 10th of September last, reporting the renewed representations which, in consequence of evidence which had been obtained further implicating Flores in Slave Trading, you had made to the Governor of Angola, urging his Excellency to remove that individual from the colony; and I have to state that I approve of your proceedings as reported in your above-mentioned despatch.

I am, &c.
(Signed) CLARENDON.

No. 85.

The Earl of Clarendon to Her Majesty's Commissioners.

Gentlemen, *Foreign Office, January* 13, 1854.

WITH reference to that part of your despatch of the 10th of September last, which relates to the subject of yours of the 23rd of March, 1853, that is to say, to the attempt made by the Governor of Loanda in 1850 to confine your official correspondence with him within very narrow limits, I have to acquaint you that, on receipt of your despatch, I instructed Sir Richard Pakenham to inquire what steps had been taken by the Portuguese Government upon a representation with regard to this matter, which Sir Hamilton Seymour addressed, by Viscount Palmerston's direction, to the Portuguese Minister for Foreign Affairs on the 23rd of April, 1851. And I have to inform you that Sir Richard Pakenham stated, in reply, that he would endeavour to obtain from the Portuguese Government that suitable instructions upon the point in question should be given to the Viscount de Pinheiro, who was then about to proceed to his post as Governor-General of Angola.

As I have not yet learnt whether those instructions were issued, I have addressed a further despatch to Sir Richard Pakenham upon this subject.

I am, &c.
(Signed) CLARENDON.

No. 86.

The Earl of Clarendon to Her Majesty's Commissioners.

Gentlemen, *Foreign Office, January* 27, 1854.

I HAVE had under my consideration, and I have referred to Her Majesty's Advocate-General, your despatch of the 18th of October and its inclosures, reporting the circumstances attending the trial and acquittal before the Mixed Commission Court at Loanda of the Portuguese schooner "*Aguia*,"

which had been brought to that port for adjudication by a prize crew from Her Majesty's ship "Spy," on a charge of having violated the Treaty between Great Britain and Portugal of July, 1842, for the suppression of the Slave Trade.

And I have to inform you that the Queen's Advocate is of opinion that Sir George Jackson was completely borne out in the view which he took of this case, and that the "*Aguia*" ought to have been condemned.

As regards the charges brought by the captain of the "*Aguia*" against the prize crew who navigated his vessel to Loanda, and which are adverted to in your despatch, I have to state that I have thought it right to lay those charges before the Lords Commissioners of the Admiralty for investigation.

I am, &c.

(Signed) CLARENDON.

No. 87.

The Earl of Clarendon to Her Majesty's Commissioners.

Gentlemen, *Foreign Office, February* 11, 1854.

I HAVE received your despatch of the 16th of September last, relative to the difference of opinion between Her Majesty's Commissioner and the Portuguese Commissioner, which arose in the case of the Portuguese schooner, "*Aguia*," with regard to the right of the British captor to open sealed letters found on board the prize.

I have to acquaint you that I have referred this matter to the consideration of the Queen's Advocate-General, who has observed that the papers relating to this case, which you have transmitted to me, have furnished no particulars either as to the number, the addresses, or the description of the letters in question; or as to the precise situation and circumstances under which they were found on board the vessel. But the Queen's Advocate assumes that they were not on board in the shape of what is called a mail or ship letter-bag.

Under these circumstances the Queen's Advocate is of opinion, that in any future similar case the captor, or his proctor, should open any sealed papers and letters not addressed to public functionaries before such letters are brought into Court, or annexed to the process, and that they should then be brought in and annexed open; and he suggests that this opening might take place before a notary, or any public officer, and in the presence of, or after notice to, the claimant or his agent; and this would obviate any reasonable objection on the score of possibility of fraud or irregularity.

The Queen's Advocate states, that the opening of sealed papers before they are brought into Court, is the course adopted in prize proceedings, and in proceedings against ships for breach of laws for the suppression of the Slave Trade, and in other cases of the like description in England, in the United States, and, as he believes, in France.

It appears to the Queen's Advocate that the Portuguese Commissioner was not borne out in referring to the principles laid down in the Portuguese Constitutional Charter, and in the laws of Portugal, as being applicable to this question, which must be decided by reference to the proceedings of Courts of Admiralty, administering the law of nations (as in prize of war), and not by reference to the practice or principles prevailing in the national tribunals, or the laws either of Portugal or of England.

The Queen's Advocate states, that the proceedings of Courts of Admiralty clearly require the production of, and reference to, all papers and letters found on board, whether letters or "ship's papers;" and he points out that this is proved by the following authorities; namely, by the standing interrogatories in prize causes:—C. Robinson's reports, Appendix interrogatories 16, 23, 24, and 1st additional: By the form of "Affidavit to precede a monition." No. 178 in the Rules and Regulations for Vice-Admiralty Courts, page 127, and page 18, section 25: and also by the "Instructions for the guidance of Her Majesty's naval officers employed in the suppression of the Slave Trade," page 111, and Form 4, therein referred to.

The Queen's Advocate further suggests, as additional arguments in favour of the practice contended for: 1st, That the possible but somewhat

unsubstantial and remote mischiefs and evil consequences alluded to by the Portuguese authorities, cannot be fairly compared with the serious consequences of permitting the mere existence of a seal and address (perhaps fictitious or fraudulent), effectually to conceal the contents of papers however important to the case (as for instance, a complete double or fraudulent set of "ship's papers), and thus to facilitate the very trade which the Court is instituted to punish and suppress; and inasmuch as the having on board false or fraudulent papers would be strong grounds of condemnation, the propriety of ascertaining the contents of *all* papers is reasonable.

2nd. That inasmuch as the claimant may at his discretion, and without applying to the Court, open all letters intrusted to his custody, and make use of their contents when in his favour, there is an obvious unfairness in preventing the captor from doing the same thing.

3rd. That in the case of a British vessel, captured by a Portuguese ship of war, the British Commissioners would be bound by the authorities above referred to, and by their instructions, &c., to permit the opening of letters.

4th. That there is no legal virtue or efficacy in the seal or address of any letter (not being that of a Public Functionary, or Government officer, and the letter not being in the custody of the National Post Office), which can operate so as to divest the captor of his *primâ facie* right to use it in evidence, and for that purpose to ascertain its contents and to open it, as he may open any locked repository, or open any fastened package; or which can operate to make it illegal for the Court to ascertain and refer to the contents for its own satisfaction: nor can it be legally assumed that even "ship's papers," (or documents intimately connected therewith,) may not be contained therein.

5th. That by the practice of Prize and Admiralty Courts administering the law of nations, the withdrawing, suppressing, or spoliation of papers or letters, whether alleged to be private or not, is almost decisive against the ship, and the claimant's objection to the opening of these letters amounts in effect to the withholding or suppression thereof. For it is a presumption of law that evidence suppressed or withheld, is of a character and weight most highly adverse to the party suppressing it.

I have to instruct you to act in conformity with the foregoing opinion, and with the observations explanatory thereof, whenever any future case may be brought for adjudication before the Mixed Commissioners at Loanda.

You will at the same time bear in mind, that the question whether letters shall be opened by the Court itself, or by its decree or order, must be admitted to be a question as to the "mode of proceeding in the said Commission" (*quanto ao modo de proceder*), under Annex B, section 4, to the Treaty of July, 1842.

I am, &c.
(Signed) CLARENDON.

No. 88.

Her Majesty's Commissioners to the Earl of Clarendon.—
(*Received February* 13, 1854.)

(Extract.) *Loanda, November* 19, 1853.

1. WE have the honour to inform your Lordship that the United States ship "Constitution" arrived here on the 8th instant, bearing the broad pendant of Commodore Mayo, bringing with her as prize the schooner "*H. N. Gambriel*," of 170 tons, bound from New York to Ambriz.

2. This vessel, Baltimore built, was fully equipped with boilers, slave-deck, and every requisite for a large cargo of slaves, which, but for the appearance of the "Constitution," she would doubtless have shipped in a few hours; she was taken coming out of the Congo on the 3rd instant, and has been sent from hence for trial to New York.

3. The American corvette "Marion," Captain Purviance, arrived here a few days before the commodore, and reported having met with no suspicious vessels whatever on her way along the coast from Cape de Verds and Monrovia

to this port, with the exception of the barque "*Republic*," the subject of our despatch No. 32, which she had seen at Porto Praya on her way out from New York, and which Captain Purviance considered to be a very suspicious vessel, though he reported that her papers being correct, she was not liable to detention. The commodore, speaking of this report, seemed to think that a stricter search might have led to a different conclusion; and on being shown the copy of the manifest the "*Republic*" had given in this port, said at once, such and such articles are very suspicious.

4. Besides the "*H. N. Gambriel*" and the barque "*Republic*," which latter there is every reason to believe shipped a cargo of slaves soon after she left this port—nothing having been heard of her since she was left off the Congo by Her Majesty's ship "Alecto," when the latter was proceeding to the bights—two other American schooners, of a similar suspicious appearance and character, the "*Eureka*" and the "*Sarah Hope*," both from New York, have been lately boarded between Ambriz and Cabinda, both by Her Majesty's cruizers and those of the Portuguese squadron; but, though no doubt whatever existed of the intentions of these vessels, they could not be interfered with by the former, because they persisted in keeping up the American colours, nor by the latter because they were beyond the *linha de respeito*. These schooners are all very fast sailers, and all the American officers agreed that there would have been little or no chance of capture, supposing an attempt to escape; but, in the case of the "*H. N. Gambriel*," the "Constitution" hoisted the British flag, which led the schooner to suppose she had to do with an English man-of-war, and under that flag it was that the boats boarded her.

5. Commodore Mayo has written home, stating very unequivocally this reappearance of the United States flag in Slave Trade transactions, and has recommended in very strong terms, and in a way which does him great credit, the substitution in place of his large flagship, which alone goes far in satisfying, by the number of her guns, the stipulations of the 8th Article of the Treaty of Washington, of a small steamer, and other minor vessels. At present he has only, besides the "Constitution," the "Marion" and brig "Perry" under his command. We fear, however, from what we can collect, that the anti-Slave Trade feeling in the United States is not so strong as we had hoped, and that the new Administration in that country is less likely to treat the subject with that consideration which it deserves, and which, zealously and energetically displayed, can alone put a stop to the abuse of its flag. But on this subject, your Lordship will be so much better informed, that it is only requisite for us to point attention to a mischief which, although apparently done away with, by the successful exertions both of the British and American cruizers in 1851, seems this year to have revived in its full force and flagrancy.

6. Commodore Mayo, a high-spirited and distinguished officer (although a southern man, and an extensive proprietor of slaves himself, and strongly imbued with southern feelings on the subject of slavery), expresses himself as fully determined, not only to carry out the instructions of his Government, but also to do his utmost to prevent this abuse of his country's flag. Those other feelings which we have imputed to him have shown themselves, we are sorry to say, in his mode of dealing with his prize; on board of which he has only sent two of her original crew to the United States as State's evidence, allowing the whole of the remainder, to the number of fifteen, to remain at large; some of whom have ultimately shipped in the "Constitution." The American captain, a recognized citizen of the State of New York, and who is known to reside within a few miles of the city, being allowed, together with the *soi-disant* passengers, two Spaniards and a Frenchman, who doubtless would have taken charge of the schooner on her being transferred, to remain at liberty on shore.

7. The Governor, we know, complained, though not formally, of this proceeding, and the commodore justified his not sending them with the prize on the ground that had he done so, they would have tampered with the State's evidence, and thus endangered her ultimate condemnation.

8. We are sorry to have to add to this statement, that two of the schooner's crew are said to be British subjects.

No. 89.

Her Majesty's Commissioners to the Earl of Clarendon.—
(Received February 27, 1854.)

My Lord, *Loanda, December 13, 1853.*

1. WE have the honour to acknowledge the receipt of your Lordship's despatch of the 11th of August, 1853, transmitting, for our information and for any observations which we may have to make thereupon, a copy of a despatch from Her Majesty's Minister at Lisbon, dated the 18th of the preceding month, inclosing the "Diario do Governo" of the 13th.

2. The discussion therein reported evidently refers to the proceedings of Commander Wilmot, of Her Majesty's ship "Harlequin," while in command of the southern division; and having had the honour of reporting those proceedings, and the circumstances to which they gave rise, in our despatches of the present year, we are not aware that it is in our power to offer anything further on this subject deserving your Lordship's consideration.

3. Señor S. J. da Luz is the same individual who, conjointly with his brother deputy of this province, signed the letter, an extract from which was inclosed in our aforesaid despatch; and the deputation of which he speaks as having been sent by the Viceroy and Magnates of the Zaire to Loanda, your Lordship will find reported in our despatch.

4. Without following him in his recital of historical facts in support of the claim he asserts in favour of Portugal, it may be sufficient to remark that, in citing in corroboration of it the provisional agreement entered into between the Governor-General of this province, Antonio Manoel de Noronha, and Commander Tucker, of Her Majesty's ship "Wolverine," on the 28th May, 1839, Señor da Luz omits to mention that that arrangement was not ratified by Her Majesty's Government; and that one of the principal objections to it, both on the part of the Admiral Commander-in-Chief of Her Majesty's naval forces, immediately on his being made acquainted with it, and eventually on that of Her Majesty's Principal Secretary of State for Foreign Affairs, was the implied recognition by Great Britain which that Convention bore on the face of it, of the rights of the Portuguese Crown to parts of the African coast which did not in fact belong to Portugal.

The Minister to whom the above-mentioned letter was addressed is the same Viscount Atouguia who now replies to Señor da Luz, in his double capacity of Minister of Ultramar and for Foreign Affairs.

With regard to his statement in the former capacity, so far as the matter came under our observation, your Lordship will find that it accords with the report we had the honour to make of the occurrence.

Of what actually took place at Cabinda, the reports of Her Majesty's naval officers will of course afford the most authentic account.

As respects the statement of Viscount Atouguia in his capacity of Minister for Foreign Affairs, your Lordship is too well aware of the facts of the case to make it admissible in us even to advert to its inaccuracy.

We have, &c.

(Signed) GEORGE JACKSON.
EDMUND GABRIEL.

No. 90.

Her Majesty's Commissioners to the Earl of Clarendon.—
(Received February 27, 1854.)

My Lord, *Loanda, December 13, 1853.*

1. WE have the honour to report to your Lordship in this despatch an occurrence which has created considerable sensation here. Her Most Faithful Majesty's brig "Serra do Pilar," having on board the Commandant of the naval station, Captain Rodovalho, put to sea suddenly on the 27th ultimo, with the Secretary-General of the Government and a major and one subaltern of the line.

2. The surprise caused by this hasty and unexpected departure was increased when it became known that it had been determined upon at the breaking up of a Council to which many, not members of that body, such as the heads of the respective departments, had been summoned, and it was with great regret that we heard the circumstance attributed to a supposed affront offered to the Portuguese flag at Cabinda by a party who had landed from some British vessel; no further particulars, however, not even the date when it was reported to have taken place, were mentioned, and, in answer to such inquiries as it was competent for us to make, we were told that the statement, whencesoever it may have proceeded, was not addressed direct to the Governor-General, and that his Excellency, in submitting to the Council the measure he proposed for its adoption, had contented himself with stating that a communication to the above effect had been laid before him. We understand that this statement, though the proposal by which it was followed to despatch the "Serra do Pilar" to Cabinda was at once acceded to, gave rise to some discussion: on the one hand it was thought more advisable to wait for further accounts; whilst on the other, there were some present who suggested an immediate application to the newly-appointed American Consul and to the Commander of the "Marion," United States sloop of war, which happened to be then in harbour.

3. We do not believe, however, that this suggestion was acted upon, but, at all events, the "Marion" sailed northwards two or three days later.

4. In the meantime more than one launch arrived from Cabinda, by which it was known, first, that nothing particular had occurred there, and secondly, that the "Serra do Pilar," in passing by Ambriz, had picked up the "Corimba," brig of war, and that they had proceeded together to the former place. In this state of uncertainty your Lordship's despatch of the 11th August found us, and though the arrival of Her Majesty's steamer "Pluto," which was the bearer of it, threw no light on the subject, yet the inclosure in that despatch, the contents of which were new to us, sufficiently accounts for, though it can hardly justify, the jealousy and uneasiness evinced by the Visconde do Pinheiro on this occasion; he having had his attention particularly directed, prior to his leaving Lisbon, to this question of the extent of the Portuguese sovereignty on this coast, and to the discussions which it gave rise to in the Chamber of Deputies.

5. No direct accounts have as yet been received from Captain Rodovalho, but the Governor-General states that he is in daily expectation of his return, and explains the object of the mission of that officer and of the Secretary-General of the Government to have been the investigation of the matter, and to communicate, by means of an interpreter who was sent with them, with any British officer they might meet with.

We have, &c.

(Signed) GEORGE JACKSON.
EDMUND GABRIEL.

No. 91.

Her Majesty's Commissioners to the Earl of Clarendon.—
(*Received February* 27, 1854.)

My Lord, *Loanda, December* 17, 1853.

1. WE have the honour to inclose herewith, in translation, the copy of an official letter addressed by the Governor-General to Her Majesty's Commissioner, and of the answer returned thereto by him. The circumstances attending this communication are the following.

Commander Miller having come into this port on the 14th, Sir George Jackson accompanied him on a visit to the Palace the following morning. Immediately on entering the room his Excellency, addressing Sir George Jackson said, "I was just engaged in writing to you," and at once proceeded to read to us, *literatim*, the despatches he had that day received from the Governor of Benguella, detailing the particulars which your Lordship will find in the first inclosure to this despatch, of a shipment of slaves, a few days previously, a little to the south of Benguella, destined for the Havana, and

of the apprehended attempt at further ventures of a similar character; and then, turning to Commander Miller, his Excellency made the application, the purport of which appears in his subsequent communication to Her Majesty's Commissioner; as he had, he said, no vessel of war that he could send on that service at the present moment. That officer at once acquiesced in the request thus made to him; and it was agreed between Viscount do Pinheiro and himself, that he should, on his arrival at Benguella, concert measures with the Governor of that district, and that he should be the bearer of a letter to him, which he would immediately write, and on the receipt of which Commander Miller was to put to sea. This arrangement was punctually carried out, and in a few hours Her Majesty's brig "Crane" was under sail. We fear, however, there is little hope of her arriving in time to prevent the threatened mischief, as whatever speculations were in course of execution at the date of the reports from the Governor of Benguella, will probably have been carried into effect before the "Crane" can reach that spot.

2. It is, indeed, doubly lamentable, my Lord, to contemplate these occurrences, because from the fresh stimulus which this success on the part of the traffickers will give to the Slave Trade, we fear the evil will not stop at the instances already known to have taken place, and that, emboldened by the facilities they have again lately met with, both to the north and south of this place, they will recommence with redoubled energy those nefarious pursuits which were at one time beginning to give way to licit speculations.

3. This state of things, however, will create sensations rather of pain than surprise in your Lordship's mind when you refer to our preceding Reports, and particularly to that of Her Majesty's Commissioner of the 23rd May last, in which the unguarded state of this coast was distinctly pointed out, as well as the preparations which it was apprehended were then in contemplation for fresh attempts in Slave Traffic by parties resident in this city.

4. In that Report the brig schooner "*Rosa*," which now, as your Lordship will see, has carried off a large cargo of slaves, is particularly mentioned, together with the several circumstances of suspicion which attended her.

5. Your Lordship may be assured we shall not fail to keep a watchful eye over the too probable recurrence of similar indications. In the mean time it may be proper, before concluding this despatch, to revert to the contents of the letter of the Governor-General to Her Majesty's Commissioner; more especially to that passage where the latter is requested to cause one of Her Majesty's ships to proceed to Benguella.

6. Under ordinary circumstances Sir George Jackson would have felt it to be his duty to explain to his Excellency that, in making such an application, he was asking what it was beyond the sphere of Her Majesty's Commissioner to comply with. If in his reply Sir George Jackson did not give his Excellency to understand this, it was first and principally because the application had been already made and acceded to by the senior officer of this division; and 2ndly, because he was unwilling to have the appearance of doing anything which might discourage confidential communication between his Excellency and Her Majesty's Commissioners; the more so, as, so far as we have yet had an opportunity of judging, we are disposed to give his Excellency credit for the sincerity of his anti-Slave Trade professions, and for the measures in contemplation both for the suppression of the traffic and for the amelioration of the state and condition of the slave.

7. In saying this, however, we cannot shut our eyes to the fact that the slave-trafficker Flores, and others of the same stamp, are yet tolerated, if not countenanced, here.

We have, &c.

(Signed) GEORGE JACKSON.
EDMUND GABRIEL.

Inclosure 1 in No. 91.

The Governor-General of Angola to Her Majesty's Commissioner.

(Translation.)

Sir, *Palace of General Government of Angola, December* 15, 1853.

IN the reports which the Governor of Benguella has transmitted to me by the brig "Veloz," he informs me that he has acquired the certainty that, in the ports to the south, and specifically in the Bay of Limago, efforts are making to form depôts of slaves, with the view of embarking them, and that it is known to him even that a cargo has actually been shipped on board the brig schooner "*Rosa*," as you will see by the inclosed extract. He informs me also that he has employed all the means at his disposal to prevent so scandalous a violation of the laws, but that he feared that his measures, and the positive orders given by me for the same object, will prove fruitless if he be not assisted by further force.

If the ships of war of the Portuguese naval station were not all employed to the north, I should have the means in my own hands promptly to impede any attempt at Slave Traffic, and should then only have to communicate to you the measures I might have adopted; but in the absence of these ships I solicit your co-operation in this important service, by causing one of the two of Her Britannic Majesty's cruizers now at anchor in this port to sail for Benguella, in order that her commander, furnished with such instructions as you may think expedient, may concert with the Governor of that district, to whom I am about to write, and together with him be able to anticipate and capture those concerned in this Traffic.

God preserve, &c.

(Signed) VISCONDE DO PINHEIRO.

Inclosure 2 in No. 91.

Extracts of two Despatches, dated December 5 and 9, transmitted to the Governor-General of Angola by the Governor of Benguella.

(Translation.) *December* 15, 1853.

DESPATCH of the 5th acquaints me that the Government launch "15 de Maio," commanded by Second-Lieutenant Captain of the port, Jose Antonio Campina, carrying 10 soldiers, had sailed for the coast to the south of Benguella. Sends me a copy of the instructions given to that commander. Declares that he has the greatest difficulty in procuring in those parts sufficient judicial proofs of any slave venture, even though such may have been realized, because no one will acknowledge himself engaged in such speculations, in which many and great interests are involved; and that intelligence thereof can only be obtained from the Cabendas, by whom the coasting launches are manned, they being the persons who take off the slaves to the ships which are to carry them away; it is solely by their means, also, that the Governor of Benguella has been enabled to obtain any information respecting this Traffic. Informs me that by this channel he has learnt the shipment of a cargo by the brig-schooner "*Rosa*" bound for the Havana. Manifests how much it pains him to see that now, when everything seemed tending towards the development of agricultural pursuits, and when the idea of the great profits of Slave Traffic was nearly extinct, this new case should arise which, if not rigorously punished, he feared that these pernicious speculations would revive with renewed strength. Finally declares that he repels, and will as far as possible avert from himself the reputation, well or ill founded, which the authorities in these parts have obtained of protecting Slave Traffic for the sake of the advantages they derived therefrom.

Despatch of the 9th states that it was known on this day that the brig-schooner "*Rosa*" had shipped a cargo of slaves in the Bay of Limago, and that this intelligence became general after the arrival of several launches from the south. Assures me that he will do everything in his power to repress and punish similar abuses, and that he hopes shortly to give me more satisfactory information respecting it. Communicates that the Government launch "15 de Maio," which sailed on the 4th, was not in time to prevent this last scandalous affair, and that he had received accounts of her having arrived at Equimina, whence she went south, and that he had no later intelligence of her proceedings.

Inclosure 3 in No. 91.

Her Majesty's Commissioner to the Governor-General of Angola.

Sir, *Loanda, December* 16, 1853.

I HAVE the honour to acknowledge the receipt of your Excellency's confidential communication to me of the 15th instant, relative to the untoward intelligence received by you from the Governor of Benguella, under date of the 5th and 9th of this month, and I have the satisfaction of being able to inform you, in reply, that on the circumstances detailed in the above communication from your Excellency being made known to Commander Miller, of Her Majesty's brig "Crane," senior officer of the South Division, he at once determined to proceed direct to Benguella (instead of to Elephant's Bay, as he had intended), and to put himself as speedily as possible into communication with the Governor there, with a view to the adoption of such measures as, on concert between them, may seem best calculated to counteract this most unfortunate revival of a trade in those parts which we had hoped was entirely extinct.

Commander Miller sailed yesterday afternoon, without a moment's delay, for his destination.

I have great pleasure at the same time in stating that, from a conversation I had with that officer, it would appear that nothing has occurred, so far as he knows, to warrant the very improbable state-

ment which, as your Excellency informed me on my paying you a casual visit last Monday, had induced you to despatch Her Most Faithful Majesty's ships of war to Cabinda, where they were seen at anchor by Her Majesty's brig "Crane" on the 5th instant, and still later by the steamer "Alecto." Commander Miller was prepared, when he waited upon you yesterday, to have stated thus much to your Excellency, but as you did not in any way allude to the circumstance, and had not addressed either him or Her Majesty's Commissioners on the subject (the latter having become aware of it only after the sailing of the "*Serra do Pilar*"), he abstained from referring to it; and if I now allow myself to do so, in replying to your Excellency's present application, it is because I think I see in the distressing events which have given occasion for such application the true key to the report in question, namely, an artifice on the part of the slave-traffickers, after trying, and, I fear, but too successfully, their nefarious pursuits to the north, to draw off the attention of the Portuguese naval force from their manœuvres to the south of Loanda, and, by preventing its appearance in those waters, to leave that part of the coast open to them.

With regard to the particular shipment which the Governor of Benguella states they have succeeded in effecting in the Bay of Limago, your Excellency may not perhaps be aware that a Portuguese brig schooner, called the "*Rosa*," sailed hence for Lisbon on the 6th June last. Whether it be the same vessel, and whether her return from Lisbon to this coast may have been duly manifested, your Excellency will be best able to decide; certain it is that this schooner arrived here from Rio de Janeiro early in May, under circumstances calculated to excite strong suspicions, bringing a large sum, it was said in specie, and bearing on her list of passengers a name but too well known in Slave Trade transactions. The *vox publica* at the time sufficiently stamped the character of the "*Rosa*," and of the speculations in which she was engaged, indicating no less clearly the parties concerned in them, and it is only necessary to draw your attention to the above statements to enable your Excellency to arrive at a just conclusion, and at a full knowledge of the real facts of that case. The entry of the "Rosa" will be found in the Boletim No. 397.

I have, &c.
(Signed) GEORGE JACKSON.

No. 92.

Her Majesty's Commissioners to the Earl of Clarendon.—
(Received February 7, 1854.)

My Lord, *Loanda, December 26, 1853.*

WE have the honour to acquaint your Lordship, that reports have recently reached us from a source upon which we can place full reliance, that a considerable number of slaves are collected in the vicinity of Ambriz ready for shipment.

2. We are also informed, and we have every confidence in the truth of the information, that the barracoons containing those slaves belong principally to the notorious Francisco Antonio Flores, and that they are situated not on Ambriz Point, but at a native town a few miles in the interior, in such a position as to afford great facility for marching the slaves to any point on the adjacent coast for embarkation.

3. But few British merchants have as yet resorted to Ambriz for legitimate trade, and the natives of that place have not, we are told, met with any very liberal encouragement to pursue licit commerce of any kind; and it is very much to be feared that, whilst the slave-dealers find they can with impunity collect their living cargoes in readiness for shipment, aided and shielded as they are by the local Chiefs, who have hitherto resisted all attempts to engage them in a different course, it will be a most difficult matter entirely to eradicate the Slave Trade in that quarter, more particularly so long as there shall remain any flag to shelter their inhuman operations in the manner in which that of the United States is now again used.

4. Undoubtedly the most effectual means of introducing and promoting licit commerce at Ambriz, as well as other points on this coast, would be the extension of the line of steamers from Fernando Po to the southward. Such an extension might not, perhaps, at first give an adequate return in a pecuniary point of view, but it would certainly well repay the expense incurred by the practical lesson it would afford to the natives of the advantages derivable from commercial intercourse in general, and the stimulus it would impart to engage in the pursuits of lawful trade, from which, considering the various products in which this country abounds, they might soon be enabled to reap profits as great, if not greater, than those hitherto sought for in bartering away the lives of their fellow men.

We have, &c.
(Signed) GEORGE JACKSON.
EDMUND GABRIEL.

No. 93.

Her Majesty's Commissioners to the Earl of Clarendon.—(*Received February* 27.)

My Lord, *Loanda, January* 9, 1854.

WITH reference to our despatch of last year, we have the honour to acquaint your Lordship that Her Most Faithful Majesty's brig "Serra do Pilar" returned from Cabenda on the 28th ultimo, and that Captain Rodovalho informs us that, he found upon the most careful inquiry on the spot, that no such occurrence as that which had been reported to have happened, and which occasioned his being sent thither, had taken place.

We have, &c.
(Signed) GEORGE JACKSON.
EDMUND GABRIEL.

No. 94.

Her Majesty's Commissioners to the Earl of Clarendon.—(*Received February* 27.)

My Lord, *Loanda, January* 10, 1854.

WE have the honour to inform your Lordship, that Her Majesty's brig "Crane" returned yesterday from Benguella, and that Commander Miller states, that he has been able to obtain no additional information respecting the alleged recent Slave Trade transactions which formed the subject of our despatch of last year and its inclosures, and that the report rested solely on the accounts given by the Cabenda launches. We have, however, too much reason to fear that those accounts were true; and that it will appear that, not only the brig-schooner "*Rosa*," but another vessel also had arrived on that same part of the coast, namely, in the vicinity of Benguella, fully equipped, even to the being ready provided with water, and had shipped a very large number of slaves; and we have, moreover, been assured by an authority which on previous occasions has proved correct, that further ventures are likely to be made in the same direction.

In consequence of this belief, Captain Rodovalho has just despatched the brig "Corimba" to cruize in those waters.

We have, &c.
(Signed) GEORGE JACKSON.
EDMUND GABRIEL.

No. 95.

The Earl of Clarendon to Her Majesty's Commissioners.

Gentlemen, *Foreign Office, March* 2, 1854.

WITH reference to my despatch to you of the 13th of January, in which I informed you that I had instructed Her Majesty's Minister at Lisbon to bring again under the notice of the Portuguese Government the necessity of instructing the Governor-General of Angola to receive official communications addressed to him by you and by the Commanders of Her Majesty's ships, on matters relating to the suppression of the Slave Trade; I now transmit to you a copy of a despatch* which I have received from Sir Richard Pakenham, inclosing a copy of a letter addressed by the Portuguese Minister for the Colonies to the Minister for Foreign Affairs, stating that orders to the desired effect have been transmitted to Viscount de Pinheiro.

You will also perceive from the inclosed letter of the Colonial Minister, that orders have been sent to Viscount Pinheiro, directing him to expel the Brazilian slave-trader Francisco Antonio Flores from the province of Angola.

I am, &c.
(Signed) CLARENDON.

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* See Class B, No. 371.

No. 96.

The Earl of Clarendon to Her Majesty's Commissioners.

Gentlemen, *Foreign Office, March* 13, 1854.

WITH reference to my despatches of the 13th January and 2nd instant, respecting the instructions which Her Majesty's Minister at Lisbon had been directed to request might be sent to the Governor-General of Angola, desiring him to receive official communications addressed to him by you and by the Commanders of Her Majesty's ships on matters relating to the Slave Trade, and also respecting the question of expelling Francisco Antonio Flores from Angola; I transmit to you an extract of a further despatch* from Sir R. Pakenham, inclosing a copy of a note from the Portuguese Minister for Foreign Affairs, together with a copy of the Portaria, by which the Governor of Angola has been directed to expel Flores from that province.

You will deliver to the Viscount Pinheiro the inclosed despatch which, as you will learn from Sir R. Pakenham's despatch, contains a duplicate copy of the Portaria respecting Flores.

I am, &c.
(Signed) CLARENDON

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* See Class B, No. 377.

LOANDA. (*Board of Superintendence.*)

No. 97.

Her Majesty's Commissioner to the Earl of Malmesbury.—(*Received April* 2.)

My Lord, *Loanda, January* 1, 1853.

I HAVE the honour to transmit herewith, for your Lordship's information, in original and translation, the Report just made to the Board of Superintendence by the Curator of liberated negroes for the last quarter.

The liberto Timotheo Calecute, mentioned therein as being under correction in the fortress of St. Pedro, was sent thither for a petty theft, which was fully proved against him, in conformity with the minute of the Board in their session of the 18th February, 1852, inclosed in my despatch of that year.

I have, &c.

(Signed) GEORGE JACKSON.

Inclosure in No. 97.

Report of the Curator of Liberated Africans.

(Translation.) *St. Paul de Loanda, December* 31, 1852.

I HAVE the honour to acquaint the Board of Superintendence for Liberated Negroes, that having visited these negroes several times during the quarter ending this day, I found—

1. That they were receiving proper treatment.
2. That they were employed as follows:—

In the trade of Stonemasonry,—
João de Ambaca, Vicente,
Germano Dalla, Eusebio Catraio.

In the trade of Carpenter,—
Lourenço Miluange, Agostinho Caculo,
Marcos Ganga, Jacintho Ganga.

In the trade of Tinsmith, Felix Calombe,

In the trade of Blacksmith and Locksmith, Elizio.

In the trade of Cooper, Pedro de Loanda.

In Manual Labour,—
Matheus, Alvaro Bunge, Sebastião do Congo.

3. That the liberto Timotheo Calecute continues in the fortress of St. Pedro, whither he was sent for two months for correction, and that my Assistant, who has visited him there, found that he was well treated.

4. That to this day it has been impossible to obtain any information respecting the liberto Sebastiao de Canandula.

(Signed) GUILHERME CYPRIANO DEMONY,
Curator.

No. 98.

Her Majesty's Commissioner to the Earl of Malmesbury.—(*Received June* 20.)

My Lord, *Loanda, April* 2, 1853.

I HAVE the honour to inclose herewith, for your Lordship's information, in original and translation, the Curator's Report of the state of the libertos under his charge during the last quarter.

I am sorry to say it is not very promising, but though one or two of these libertos, particularly the youngest of them, appear to be making some little progress, yet I fear we can expect no satisfactory result on the whole so long as they shall continue in their present position; a conviction which only makes me the more anxious that the proposal which Her Majesty's Minister at Lisbon was instructed to make, under date the 21st July, 1851, to the Portuguese Government, should be acceded to by them.

I have, &c.

(Signed) GEORGE JACKSON.

Inclosure in No. 98.

Report of the Curator of Liberated Africans.

(Translation.) *St. Paul de Loanda, March* 31, 1853.

I HAVE the honour to acquaint the Board of Superintendence of Liberated Negroes, that having visited these negroes several times during the quarter ending this day, I found—

1. That they were receiving proper treatment.
2. That they were employed in the following manner:

In the trade of Stonemasonry,—

Joaõ de Ambaca,	Eusebio Catraio,
Germano Dalla,	Vicente.

In the trade of Carpenter,—

Lourenço Miluange,	Agostinho Caculo,
Marcos Ganga,	Jacintha Ganga.

In the trade of Tinsmith,	Felix Calombe.
In the trade of Blacksmith,	Elizio.
In the trade of Cooper,	Pedro de Loanda.

In Manual Labour,

Matheus,	Alvaro Bunge,
Sebastião do Congo,	Timotheo Caleute.

This last is applying himself, at the same time, to the trade of Cartwright.

3. That the libertos Germano Dalla, apprentice to the trade of Stonemasonry, and Lourenço Miluange, apprentice to the trade of Carpenter, do not apply themselves with assiduity to their respective trades, frequently leaving their masters whilst on their way to their work.

(Signed) GUILHERME CYPRIANO DEMONY,
Curator.

No. 99.

Her Majesty's Commissioner to the Earl of Malmesbury.—(Received August 13.)

My Lord, *Loanda, April* 25, 1853.

I DULY received from Admiral Bruce, on his recent visit to this port, the packet of lymph confided to the care of one of Her Majesty's naval officers proceeding to Loanda, as announced to me in your Lordship's despatch of 27th October last, which reached me at the same time; and having without delay put myself into communication with Dr. Bastos on the subject, I have this day received from him an official Report in reply to my communication (of which Report I have the honour to inclose herewith a translation, from which your Lordship will be sorry to see that the fresh attempt made to vaccinate the liberated Africans has been attended with no better success than the preceding.

From Sierra Leone no lymphs have as yet been sent to me, nor have I received any intimation whatever from Mr. Weston or any other of Her Majesty's authorities at that place respecting them.

I have, &c.

(Signed) GEORGE JACKSON.

Inclosure in No. 99.

Dr. Bastos to Her Majesty's Commissioner.

(Translation).

Sir, *Loanda, April* 25, 1853.

I RECEIVED the official letter which you addressed to me under date of the 5th instant, as also the lymph which was sent to you from England, for the purpose of having the Libertos under the care of the Board of Superintendence vaccinated.

I myself performed the operation, not only on the aforesaid Libertos but also on other individuals, as well whites as negroes and mulattoes, some of whom were infants of but a few months old, and on whom it appeared to me that the virus was likely to have greater effect. The above individuals so vaccinated were all most carefully watched and attended to, but not one of them presented the slightest symptom of his system having been affected by the inoculation.

Long before the Government of Her Britannic Majesty sent any vaccine matter to this city, some of my predecessors and myself also had made various attempts at vaccination, having for that purpose procured the vaccine matter from Lisbon, London, and Goree, but, on each occasion, we were equally unsuccessful in obtaining here the desired result.

I cannot point out to you, Sir, the cause which nullifies in this city the effect of vaccination; I must suppose, however, that it is to be ascribed to the actual state of the system in the individuals here resident, modified in some manner which it is impossible for us to discover, or to the influence of the atmosphere counteracting possibly its power.

God preserve, &c.

(Signed) DR. MANOEL MARIA RODRIGUES DE BASTOS,
"Physico Môr" of the Province of Angola.

No. 100.

Her Majesty's Commissioner to the Earl of Clarendon.—(Received October 15.)

My Lord, *Loanda, July* 21, 1853.

WITH reference to the Earl of Malmesbury's despatch of 29th October, 1852, received by me from Her Majesty's ship "Penelope," on the 23rd March, I have the honour to inclose herewith, for your Lordship's information, translated extracts of the Minutes of Session of this Board on the 22nd and 27th ultimo, respectively, from which Minutes it will be seen that two of the Libertos, namely, Eusebio Catraio and Timotheo Calecute, have, of their own freewill and at their special request, been allowed by the Board to enlist as soldiers in the Portuguese service—the former in the Corps of Sappers, the latter in the Battalion of the Line; and that to the Liberto Joao de Ambaca, more immediately referred to in Lord Malmesbury's despatch, has been granted his full freedom, he receiving at the same time a similar certificate to that which was issued on a preceding occasion, and which his Lordship was pleased to approve.

The Liberto, Eusebio Catraio, enlisted in the Company of Sappers, is already gaining 3 macutas, about 6*d.* per day at his trade, in addition to his pay; the other Timotheo Calecute has all along shown himself, from his extreme indolence and stupidity, to be unfit for anything but the lowest manual labour, and this it was which induced the Board to consent to his wish of enlisting in the Battalion of the Line, as the surest corrective of the habits of idleness and drunkenness to which he has been addicted.

I have, &c.

(Signed) GEORGE JACKSON.

Inclosure in No. 100.

Extracts of Minutes of Session of the Board of Superintendence on the 22*nd and* 27*th of June,* 1853.

(Translation.) *June* 22, 1853.

HIS Excellency the Acting Governor-General of the Province of Angola, member of the Board produced a petition which had been addressed to him by the Liberto, Eusebio Catraio, praying to be allowed to enlist in the Company of Sappers, accompanied by a statement from the Director of the Public Works declaring that the petitioner, was qualified to enlist in that Company, he having learnt the trade of mason; and the said Liberto being called before the Board, affirmed, that of his own freewill and without being constrained by any person whatever, he wished to enlist as a soldier in the above Company and to take service for the space of three years, and the Board in consequence of this declaration, and of the fact that the petitioner appeared to be sufficiently robust for military

service, and of an age proper for it, inasmuch as his probable age when liberated in March, 1848, being that of twelve years, he must now be nearly eighteen, granted permission in conformity with the 20th Article of Annex C to the Treaty of the 3rd July, 1842, concluded between Portugal and Great Britain for the suppression of the Traffic in slaves, to the said Liberto, Eusebio Catraio to enlist as a soldier in the Company of Sappers for a period of three years.

A petition was afterwards brought under the notice of the Board by the Curator of liberated Africans, which the Liberto, Joao de Ambaca had addressed to it on the 21st instant, praying that the enjoyment of his full freedom should be conceded to him in consideration of his good conduct and of his having been more than four years apprentice to the trade of mason, in which he had made sufficient progress to enable him to gain his own subsistence, as he showed by an annexed certificate from his master; whereupon the Board, seeing that this Liberto was the same to whom it had refused his freedom last year, which he had then petitioned for, in consequence of the same master having declared that he did not deem him sufficiently expert in the trade to gain thereby his own livelihood, on which occasion, viz., 2nd July, 1852, it determined that the said Liberto should continue in the practice of his trade for three months longer, considered it would now be proper to make inquiries of the master on the subject; and he being called before the Board, said that he considered this Liberto to be now able to gain his own living, although at that time he was not, and further that his behavour was good, and the Curator having confirmed the latter statement, the Board determined to accede, as it in fact did accede, to the petition of the said Liberto, João de Ambaca in the following terms:—

"Granted in consequence of the information given," to which end it further determined to order the "instrument" of his full liberty prescribed by the 26th Article of Annex C to be delivered to him.

June 27.

The above-named Liberto, João de Ambaca, being present, together with the others under charge of the Board, and who are placed at the establishment of Public Works, the instrument of his full liberty was given to him, after which the members of the Board proceeded to exhort the other Libertos to notice the reward which the Liberto João de Ambaca had just received for his good conduct and the progress he had made in his trade; the time which was yet wanting to complete the seven years of apprenticeship therein having been consequently remitted, and the instrument entitling him to his full freedom delivered to him: and the Board promised a similar indulgence to any other of the Libertos who, under like circumstances should so conduct himself.

The Curator subsequently informed the Board that the Liberto, Timotheo Calecute, was desirous of enlisting in the Company of Sappers, a declaration which that Liberto repeated before it, but the Board being informed that he was of no trade whatever, his Excellency the Acting Governor-General said that under these circumstances the aforesaid Liberto could not be admitted into the Company of Sappers; whereupon he declared that he would enlist as a soldier for three years in the Battalion of the Line of this city; and upon the Board warning him that he would be entering upon a service requiring very severe duties, notwithstanding which he still persisted in his determination, it decided on allowing him to do so, inasmuch as he was sufficiently robust for the service, and now probably twenty-four years of age, his presumed age when liberated in March, 1848, being nineteen. The board, therefore, granted permission in conformity with the 20th Article of Annex C to the above-mentioned Liberto, Timotheo Calecute, to enlist as soldier for a term of three years in the Battalion of the Line of this city.

No. 101.

Her Majesty's Commissioner to the Earl of Clarendon.—(*Received October* 15.)

My Lord, *Loanda, July* 21, 1853.

I HAVE the honour to inclose herewith, for your Lordship's information, in original and translation, the Report made to the Board of Superintendence by the Curator of liberated negroes for the last quarter.

The Libertos in general are healthy and well treated, and in the exercise of their respective callings; and the Report contains nothing to which to point particularly your Lordship's attention beyond the enlistment in the Portuguese military service of two of them, and the concession of his full and entire freedom to a third, as detailed in my preceding despatch of this date.

I have, &c.
(Signed) GEORGE JACKSON.

Inclosure in No. 101.

Report of the Curator of Liberated Africans.

(Translation.) *St. Paul de Loanda, June* 30, 1853.

I HAVE the honour to acquaint the Board of Superintendence for Liberated Negroes, that having visited these negroes several times during the quarter ending this day, I found—

1. That they were receiving proper treatment.
2. That they were employed as follows:

In Stonemasonry,—

Germano Dalla, Vicente.

In the trade of Carpenter,—

Lourenço Miluange, Marcos Ganga,
Agostinho Caculo, Jacintha Ganga.

In the trade of Tinsmith, Felix Calombe.
In the trade of Blacksmith and Locksmith, Elizio.
In the trade of Cooper, Pedro de Loanda.

In Manual Labour,—

Matheus, Sebastiao do Congo, Alvaro Bunge.

3. With regard to the libertos—João de Ambaca, Eusebio Catraio, and Timotheo Calecute, João de Ambaca, apprentice to the trade of stone-masonry, obtained from the Board of Superintendence, on the 22nd June, the enjoyment of complete freedom; and the Instrument certifying his right to the same was drawn up and delivered to him on the 27th of that month.

Eusebio Catraio, apprentice to the trade of stone-masonry, obtained permission from the Board, on the 22nd of June, to enlist for the term of three years as a soldier in the Company of Sappers of this city, and has actually so enlisted, as is shown by the receipt given to me, signed by his Excellency the Governor-General *ad interim* of this province.

And Timotheo Calecute obtained permission from the Board, on the 27th June, also to enlist, for the term of three years, in the Battalion of the Infantry of the Line of this city, and has actually so enlisted, as appears from the receipt given to me, signed by his Excellency the Governor-General *ad interim* of this province.

(Signed) GUILHERME CYPRIANO DEMONY, *Curator.*

No. 102.

The Earl of Clarendon to Her Majesty's Commissioner.

Sir, *Foreign Office, November* 8, 1853.

I HAVE received your despatch of the 21st of July, and its inclosure, and have to acquaint you that I approve of the arrangements made by the Board of Superintendence at Loanda, with respect to the Libertos Eusebio Catraio, Timotheo Calecute, and Joao de Ambaca.

I am, &c.

(Signed) CLARENDON.

No. 103.

The Earl of Clarendon to Her Majesty's Commissioner.

Sir, *Foreign Office, November* 28, 1853.

I HAVE to acquaint you, that on receipt of your despatch, marked Board of Superintendence, of the 2nd of April, I instructed Her Majesty's Minister at Lisbon to state to the Portuguese Government that, as there appeared to be some difficulty in treating the liberated negroes in the slave-holding colony of Angola in strict conformity with the stipulations of Annex C to the Treaty of 1842, Her Majesty's Government were willing at their own expense to relieve the Colonial Government of Angola from the charge of those persons, and to remove them to some British colony. I now inclose for your information a copy of a despatch* which I have received from Sir Richard Pakenham, by which you will learn that the Portuguese Government have declined to accede to the above-mentioned proposal.

I am, &c.

(Signed) CLARENDON.

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* See Class B, No. 335.

No. 104.

Her Majesty's Commissioner to the Earl of Clarendon.—
(*Received January* 16, 1854.)

My Lord, *Loanda, September* 10, 1853.

SINCE the date of my last despatch of this series, I have received two communications from Her Majesty's Arbitrator at Sierra Leone, dated the 13th April and 11th June. They both reached me by the same vessel, and together furnished ample supplies of vaccine matter, agreeably to the application forwarded by me to Her Majesty's Government from Dr. Bastos, the Physico Mor of this province; but I regret to say that, according to two successive Reports from that officer, detailing the several experiments made by him, not only on whites, mulattoes, and negroes living in this city, of different ages and sexes, but also on four Libertos enlisted in the Portuguese Naval Service, and who have consequently been afloat for several years, it appears that in no one instance had the virus taken effect. I do not trouble your Lordship with this further Report of the Physico Mor, because it is merely a repetition of the statement I inclosed from him in my preceding despatch on this subject; the only novelty it contains being, that one of the professional gentlemen who had attempted, but unsuccessfully, to introduce vaccination into this province, was the late Cirurgião Mor, José Maria da Silva Telles, himself a member of the vaccine establishment at Lisbon.

I was myself very desirous that the experiment should be made on the four Libertos sailors as, above stated, because I thought that the circumstance of their having been so long at sea might render them more susceptible of vaccination, and for this purpose I requested that orders might be issued for their being collected together, as they were serving on board different vessels; this was accordingly done, but the result proved equally unsatisfactory, and we must now, my Lord, I fear, give up all hopes of seeing vaccination established in this part of the world, at least until a more minute and scientific investigation of the cause which has hitherto counteracted its beneficent influence shall have been made.

I have, &c.
(Signed) GEORGE JACKSON.

No. 105.

Her Majesty's Commissioner to the Earl of Clarendon.—
(*Received February* 13, 1854.)

My Lord, *Loanda, February* 18, 1853.

I HAVE the honour to acquaint your Lordship that, owing to the illness, as well of the principal magistrate of this city, as of the Secretary of the Board of Superintendence, no meeting of that Board could take place since the arrival of the new Governor, Visconde do Pinheiro, until the 10th instant, when, his Excellency having taken the oath prescribed by the 3rd Article of Annex C, took his seat at the Board as Portuguese member thereof.

On this occasion the Curator laid before it his Report of the liberated negroes for the last quarter, which I have the honour to transmit herewith, for your Lordship's information, in original and translation, as also, in the same manner, two receipts given by the late Acting-Governor, Captain Antonio Ricardo Graça, before his departure; the one, dated 22nd June, 1853, for the Liberto Eusebio Catraio; the other, dated the 28th of the same month, for the Liberto Timotheo Calecute, both of whom had entered the Portuguese military service, as reported in my despatch of the 21st July of this series.

I have, &c.
(Signed) GEORGE JACKSON.

Inclosure 1 in No. 105.

Report of the Curator of Liberated Africans.

(Translation.) *St. Paul de Loanda, September* 30, 1853.

I HAVE the honour to acquaint the Board of Superintendence for Liberated Negroes, that having visited the negroes under charge of said Board now placed at the establishment of Public Works several times during the quarter ending this day, I found—

1. That they were receiving proper treatment.
2. That they were employed as follows:—

In Stonemasonry,—
Germano Dalla, Vicente.

In the trade of Carpenter,—
Agostinho Caculo, Lourenço Miluange, Marcos Ganga.

In the trade of Tinsmith, Felix Calombe
In the trade of Blacksmith and Locksmith, Elizio.

In the trade of Cooper,—
Pedro de Loanda Jacintho Ganga.

In Manual Labour,—
Matheus, Alvaro Bunge, Sebastião de Congo.

3. That the liberto Germano Dalla was still missing.
4. That the liberto Jacintho was learning the trade of cooper, he having hitherto applied himself to that of carpenter.

(Signed) G. C. DEMONY,
The Curator of the Libertos.

Inclosure 2 in No. 105.

Receipt for the Negro Eusebio Catraio.

(Translation.) *Palace of Government, St. Paul de Loanda, June* 22, 1853.

RECEIPT for the negro Eusebio Catraio, emancipated—as shown by his letter of emancipation—by sentence dated the 27th March, 1848, of the Mixed Portugal and British Commission, established in this city in virtue of the Treaty signed between the two Crowns respectively, on the 3rd July, 1842, for the suppression of the Traffic in Slaves; which liberto has enlisted as a soldier to serve for the space of three years, in the Company of Sappers of this city, being a regular part of the land forces of the Portuguese nation; and, in conformity to the provisions of the 20th Article of Annex C to the aforesaid Treaty, I have delivered this receipt to the Curator of libertos.

(Signed) ANTONIO RICARDO GRACA,
Acting Governor-General.

Inclosure 3 in No. 105.

Receipt for the Negro Timotheo Calecute.

(Translation.) *Palace of Government, St. Paul de Loanda, June* 28, 1853.

RECEIPT for the negro Timotheo Calecute, emancipated—as shown by his letter of emancipation—by sentence dated the 27th March, 1848, of the Mixed Portuguese and British Commission established in this city in virtue of the Treaty signed between the two Crowns respectively, on the 3rd July, 1842, for the suppression of the Traffic in Slaves; which liberto has enlisted as a soldier to serve for the space of three years, in the Battalion of Infantry of this city, being a regular part of the land forces of the Portuguese nation; and, in conformity to the provisions of 20th Article of Annex C to the aforesaid Treaty, I have delivered this receipt to the Curator of the libertos.

(Signed) ANTONIO RICARDO GRACA,
Acting Governor-General.

PROCEEDINGS

OF

VICE-ADMIRALTY COURTS.

SIERRA LEONE.

No. 106.

The Secretary to the Admiralty to Mr. Addington.

Sir, *Admiralty, August* 16, 1853.

I AM commanded by my Lords Commissioners of the Admiralty to transmit to you herewith, for the information of the Earl of Clarendon, a return of vessels adjudicated in the Vice-Admiralty Court at Sierra Leone, for the half-year ended the 30th June, 1853, which had been captured on suspicion of being engaged in the Slave Trade.

I have, &c.

(Signed) R. OSBORNE.

Inclosure in No. 106.

RETURN of VESSELS captured on suspicion of being engaged in the Slave Trade, and adjudicated by the Vice-Admiralty Court at Sierra Leone, from 1st January to 30th June, 1853.

Name of Vessel.	Flag.	Name of Master.	Date of Seizure.	Where captured.	Property seized.	Seizor.	Date of Sentence.	Number of Slaves captured.	Number died before adjudication.	Number emancipated.	Tonnage.			Decretal part of Sentence, whether Forfeiture or Restitution.	Statute under which Sentence was passed, or Prosecution instituted.	Whether the property condemned has been sold or converted, and whether any part remains unsold, and in whose hands the proceeds remain.	Remarks.
											Foreign according to the papers.	English.					
												Old Admeasurement.	New Admeasurement.				
												Under Statute 8 & 9 Vic. c. 89.					
			1853				1853					16 Sec.	19 Sec.				
Restaurador	— No Flag. —	Juan Coll	Mar. 18	River Bonny	Schooner and Stores	R. Macdonald, Esq., Commander of H. M. S "Ferret"	May 3	...	...	...	...	$89\frac{443}{5000}$	$102\frac{2}{13}$	Forfeiture	2 & 3 Vict. cap. 73.	The hull of the vessel was broken up and entirely destroyed by fire. The materials and stores sold by public auction. Proceeds at present in the hands of the marshal	This Vessel was fully equipped for the Slave Trade.—No papers were found on board.
Paulina		Unknown	April 30	Rio Pongo	Brigantine and Stores	Henry Need, Esq., Commander of H. M. S. "Linnet"	May 14	...	...	...	...	$126\frac{426}{575}$	$151\frac{31}{55}$	Ditto	Ditto	Ditto	Ditto.
Unknown		Ditto	April 30	Ditto	Schooner and Stores	Ditto	May 14	...	...	...	...	*	$69\frac{49}{180}$	Ditto	Ditto	Ditto	Ditto.

* From the leaky state of this Vessel, and from having a large quantity of water in her hold, it was found impracticable to admeasure her under the 16th Section of the Act.

Sierra Leone, 1st July, 1853.

(Signed) GEO. W. NICOL,
Assistant Registrar.

ST. HELENA.

No. 107.

Her Majesty's Judge to the Earl of Clarendon.—(Received August 27)

My Lord, *Saint Helena, July 25, 1853.*

I HAVE the honour to transmit to your Lordship an abstract of the particulars of the case of a schooner called the "*Maria*," detained on the west coast of Africa, by William Kynaston Jolliffe, Esquire, Lieutenant commanding Her Majesty's steam sloop "Myrmidon," and adjudicated in the Vice-Admiralty Court of St. Helena, for being engaged in the Slave Trade.

This vessel was furnished with most of the usual slave equipments, and was manned by a crew consisting entirely of foreigners; but having no papers or colours on board, she was condemned as a vessel not entitled to the protection of any flag.

I have, &c.
(Signed) NATHANIEL SOLOMON.

Inclosure in No. 107.

Abstract of the case of the schooner "Maria."

SCHOONER, nation unknown, called the "*Maria.*"

Without papers or colours.

Crew consisted of 23 persons, including master (all foreigners).

Detained on the 31st May, 1853, off the west coast of Africa, in latitude 4° 12′ south and longitude 10° 19′ east, by William Kynaston Jolliffe, Esquire, Lieutenant commanding Her Majesty's steam sloop "Myrmidon."

Had hatches with open gratings; spare plank, fitted and laid down as a second or slave deck; a larger quantity of water in casks than was requisite for the consumption of the crew of the vessel as a merchant vessel; an extraordinary number of water-casks; a greater quantity of mess-tubs and tins than was requisite for the use of the crew of the vessel as a merchant vessel; an extraordinary large cooking apparatus, in addition to two boilers of an unusually large size, either of which was considerably larger than was requisite for the use of the crew of the vessel as a merchant vessel; an extraordinary number of wooden spoons, of the description usually found on board of vessels engaged in the Slave Trade; an extraordinary quantity of rice, beans, and jerked beef, beyond what might probably be requisite for the use of the crew of the vessel as a merchant vessel.

The master and crew were landed at Loango on the west coast of Africa.

Arrived at St. Helena on the 10th July, 1853, under the charge of Mr. Thomas Dering Nicholson, Master's Assistant of Her Majesty's steam sloop "Alecto."

Adjudicated on the 19th July, 1853.

Condemned and ordered to be broken up and sold.

Burthen, new British measurement, 171$\frac{3}{4}$ tons.

(Signed) JOHN. N. FIRMIN,
Registrar.

No. 108.

The Secretary to the Admiralty to Mr. Addington.—(Received August 30.)

Sir, *Admiralty, August 27, 1853.*

I AM commanded by my Lords Commissioners of the Admiralty to transmit herewith, for the information of the Earl of Clarendon, the inclosed copy of a Return of vessels captured on suspicion of being engaged in the slave trade and adjudicated by the Vice-Admiralty Court of St. Helena, during the half-year ending the 30th June, 1853.

I have, &c.
(Signed) W. A. B. HAMILTON.

Inclosure in No. 108.

RETURN of VESSELS captured on suspicion of being engaged in the Slave Trade, and adjudicated by the Vice-Admiralty Court at St. Helena, from 1st January to 30th June, 1853.

Name of Vessel.	Class.	Flag.	Name of Master.	Date of Seizure.	Where Captured. Latitude.	Where Captured. Longitude.	Property seized.	Seizor	Date of Sentence.	Number of Slaves Captured.	Number died before Adjudication.	Total Number emancipated.	Tonnage. Foreign according to the papers.	Tonnage. English. Old Admeasurement.	Tonnage. English. New Admeasurement.	Decretal part of Sentence, whether Forfeiture or Restitution.	Statute under which Sentence was passed, or Prosecution instituted.	Whether property condemned has been sold or converted, and whether any part remains unsold, and in whose hands the proceeds remain.	Remarks.
Unknown	Brigantine	None.	Unknown	Dec. 16, 1852.	Off Quicombo.		Vessel and Cargo.	Commander Gardiner, H.M.S. Waterwitch.	Jan. 10, 1853.	None.					145¼	Forfeiture	2 & 3 Vict. cap. 73.	Vessel broken up and demolished, materials and stores sold by public auction, net proceeds paid into the Commissariat Chest.	

(Signed) JNO. N. FIRMIN, *Registrar.*

REPORTS FROM NAVAL OFFICERS.

WEST COAST OF AFRICA.

No. 109.

Rear-Admiral Bruce to the Secretary to the Admiralty.—(*Received April* 14.)

Sir, *"Penelope," Whydah, March* 3, 1853.

WHEN I communicated to you in my despatch of the 14th ultimo the fact of Commander Heseltine and Mr. Vice-Consul Fraser having undertaken an expedition to Porto Novo and Badagry, I hoped to have been able to spare my Lords the trouble of reading the voluminous correspondence consequent on that service; but circumstances have occurred at Lagos, which compel me, solely on public grounds, to bring all the particulars under the notice of their Lordships.

So anxious did I feel as to the result of the expedition referred to, that I left Sierra Leone for Lagos on the 17th February, although the packet was then hourly expected from England. On arriving in the Bight of Benin on the 25th, and after hearing Commander Heseltine's statement, I addressed a letter to Mr. Fraser, acquainting him that I could not sanction a further interference on the part of Her Majesty's naval officers in the political quarrels of the natives. To that letter Mr. Fraser replied on the 27th, and as my views on the original matter will be found in the despatch to Commander Heseltine, it is only necessary that I should notice, *seriatim*, the grounds on which Mr. Fraser objects to my decision.

Mr. Fraser says that the quarrel at Badagry originated in our entering into a Treaty and promising English support to the Chief Mayo. In refutation of this unfounded statement I would refer you to my despatches dated 17th February and 18th February, 1852, and to Mr. Stafford's reply dated 26th April, 1852.

Again he says that Mayo had no claim, and from his past life cannot be acknowledged by the surrounding Chiefs. As I do not understand the conditions under which the sovereign power in Badagry is bestowed or assumed, I cannot of course pronounce an opinion on the validity of the claims of the present ruling Chief; all I can say is, that I found him established there with the consent of the people of the country; that he was inimical to Kosoko, whom we drove from Lagos; that he was not a slave-dealer; that he was a friend to the missionaries, to the Egbas, and to the inhabitants of Abbeokuta; and that notwithstanding all these circumstances in his favour, on entering into an engagement with him for the suppression of the Slave Trade, so far from promising to aid him in retaining the Government, I directed Commander Strange, the officer who negotiated the Treaty, in these words:—

"It is necessary that you should make the King or Chief understand that his signing the Treaty will give him no claim to demand our support to enable him to hold his position against his rival."

To the best of my belief Mayo has fulfilled the obligations of the Treaty. The charge brought against him by the Vice-Consul of breaking the 7th Article, by "murdering prisoners of war," cannot be established. It is said that he had caused a wife of Possu, his rival, to be killed. Supposing it could be shown that he did so, the time has not come yet when it would be advisable to treat an isolated act as a contravention of the great principle of humanity which the Article in question intended to establish. The murder of this woman, if indeed she has been murdered, was in all likelihood prompted by personal revenge, and there is nothing whatever to fix the perpetration of the crime on the person of Mayo.

It is not true that British life and property are at stake at Badagry. It may not be convenient for Mr. Sandeman to return there, for reasons that will appear obvious from his own letter, a copy of which was inclosed in my despatch of the 18th February, 1852. English traders in the most civilized parts of the world, who make themselves political partizans, are liable to share the inconveniences of a defeated party; these inconveniences will of course be considerably greater when they occur amongst the semi-barbarous tribes of western Africa.

"The Badagry trade, which used to be considerable, is entirely ruined," says Mr. Fraser; he should have said, the trade, formerly carried on at Badagry, is now transferred to Lagos. These places are only 30 miles apart and communication is kept up by the lagoon, which runs parallel with the beach, and is navigable for vessels drawing upwards of 6 feet of water. Badagry is nearly inaccessible from the sea, the surf being heavier there than at almost any part of the coast. Lagos, on the other hand, has the advantage of a fine river, a more easy access to the inland country of the Egbas, and it is a secure and more comfortable residence for foreigners; it is not surprising, then, all other things being equal, that with these recommendations the merchants should have removed to Lagos as soon as we abolished the Slave Trade there, and opened out a field for legitimate commercial speculation.

The assertion of Mr. Fraser, that my views in respect to his and Commander Heseltine's proceedings will have the effect of putting his life in danger, is almost too absurd for me to mention, and I am sure I should pass it over in silence, were it not to point out to their Lordships the ill-advised method with which that gentleman endeavours to hold his position as Her Majesty's Vice-Consul in Lagos: that method appears to be simply by attaching himself to a party cause, and viewing those who differ with him as his "enemies." How and when did they who would have suffered from the change which he contemplated become his "enemies?"—there certainly is not a shadow of a proof in all the correspondence which I now forward to their Lordships that they are so. I am humbly of opinion that the Vice-Consul mistakes his office when he passes judgment on the legitimacy or otherwise of the Chiefs to whom he is accredited, and I am sure the natives will never submit to his decisions in this respect. If he engages in the Quixotic attempt to give to every Chief his "just rights," he would require at least 8000 well-organized troops to hold possession of the country. It is not by engaging in such measures as Mr. Fraser recommends that we can keep up our pre-eminence here; the policy I have endeavoured to carry out since the capture of Lagos, and which I rejoice to think has been approved of by their Lordships, is based upon that moral influence which England has, from recent events, gained over the various tribes and nations in this part of Africa; and whenever I might find it necessary to resort to measures to compel the due execution of a Treaty, I would take care to do so with a force that should command success, and not leave all parties discontented, as the late expedition has done; not the least unfortunate result of which is the death of two, and the illness of 40 of our men with fever, and as a natural consequence the comparative inefficiency of the ships they are attached to for so long as they are employed upon the coast.

I place Mr. Fraser's letters to me before their Lordships in the original, exactly as I received them; it is not for me to say whether they are such as should have been written by that functionary to an officer in my position:

this question, so important as it seems to the interests of Her Majesty's service, I commend to their Lordships with the utmost respect and confidence in the judgment they shall give.

(Signed) H. W. BRUCE.

Inclosure 1 in No. 109.

Commander Heseltine to Rear-Admiral Bruce.

Sir, *H.M.'s Ship "Britomart," Lagos, January* 11, 1853.

I HAVE the honour to inform you that, having received from Mr. Fraser, Vice-Consul, a letter of which I send a copy, I deemed it advisable to act at once, on your order left with Commander Foote; I trust that what I have done will meet with your approbation.

2. Being aware of the great disinclination of the Government and yourself to hostilities with the natives, I determined to collect the best information as to the true and just state of affairs, and then with a sufficient force for emergencies, endeavour to settle all differences.

3. The result has been so far satisfactory, that it points out the true aggressors,—a rather difficult matter to find out in this country.

4. I have put my proceedings rather in the form of a journal, thinking it would be more concise.

5. The officers and boat's crews employed for nine days in the Lagoon behaved in every way to my utmost satisfaction, and, as yet, I am thankful to say, I have heard of no ill effects from the exposure; every precaution, medically and otherwise, was taken to ensure health; no men were landed but the serjeant, 6 marines, and my coxswain at Porto Novo, nominally to protect the flag carried by my coxswain, but in reality, as some sort of escort, having been warned the King was rather famed for treachery.

6. I must add that the merchants and Europeans at Badagry are satisfied in every way, that what has been so far done, is the only method that can insure free trade in the whole of the Lagoon.

7. Mr. Fraser, Her Majesty's Vice-Consul, having offered to accompany me, I was glad to accept his services and advice, which have been of great assistance.

8. I beg to forward the inclosures numbered 1 to 7, and trusting I have in no way overstepped your wishes in this matter, and that carrying it out as occasion occurs, will meet your approbation.

I have, &c.
(Signed) A. HESELTINE.

Inclosure 2 in No. 109.

Vice-Consul Fraser to Commander Heseltine.

Sir, *Lagos, December* 27, 1852.

BADAGRY is in a very awkward position just now, and something must be done to preserve our position in that town, and protect British lives and property. I am much averse to English force being used in native quarrels, but I do think that our mediation, if in time and directed in the proper channel, will settle everything upon a sound basis.

Badagry, it will be remembered, was the only path into the interior for travellers, and through which means the mouths of the Niger were first discovered; therefore, we owe its real inhabitants a little consideration.

Things cannot stand as they are at present adjusted.

The man now at Badagry formerly held the office of Mayo at Porto Novo under the King, and for reasons had to fly his country; he was received by the Badagrian Chiefs, and allowed to settle among them with his people. When Accatoy had to fly Lagos, he sought and obtained protection also at Badagry. These two men, with their followers, formed, as may be supposed, a powerful party in a small place: a quarrel ensued in consequence of the Badagrians receiving bribes from Kosoko (so says Mr. Gollmer), amongst some of the people, which gradually swelled into a civil war. The British residents, together with Accatoy and Mayo, sought, and obtained, to a certain extent, protection from the British cruizers, which at least kept things in check. The rightful Chiefs and people being conquered, had to fly their country, leaving strangers whom they had protected, possessors of their soil.

The Arlarkpar, an impostor, and Mayo, signed the English Treaty, and were acknowledged the Chiefs of Badagry by the English. Accatoy was placed at Lagos, which, of course, considerably weakened Mayo's forces.

Now it was not to be expected that these Chiefs and their people, which latter forms the populace, were likely to rest quiet, having neither country nor habitations, so have produced the present commotion. Who can blame them?

The ex-Badagrians have procured the assistance of Porto Novo, and it is very possible that Dahomey may join them.

As the Abbeokutans backed Mayo's people on the former occasion, they have now called upon him to assist them by water to break Ardoo.

Now it is very clear to me from the foregoing, that Mayo and his people are only intruders in Badagry; that the Badagrians and their Chiefs are expelled. This is unjust.

Again, from the tenour of Mayo's letter, I should say he was an honest man. Being that, and having been to a certain extent supported by the British, I should be very sorry to see him come

to harm. He, being in a very uncertain position at this moment, I think would readily come to any terms we might propose, and some of the Badagrian Chiefs have already sued the British for terms. Under these circumstances, I do not imagine that it would be very difficult to make arrangements with them all, providing we can get amongst them before the Porto Novans or Abbeokutans know which is the strongest party; thus, by a little patient palavering settle this tumult. Peace and legal traffic would ensue, and the whites considered the friends of all.

If you concur in my opinion, I will most willingly accompany you, if I am able to effect the arrangements.

I have, &c.
(Signed) LOUIS FRASER.

Inclosure 3 in No. 109.

Report of the proceedings of an Expedition to Porto Novo, under Commander Albert Heseltine, between the 28th of December, 1852, and the 7th of January, 1853.

H.M.'s Ship "Britomart," Lagos, January 11, 1853.

DECEMBER 28, 1852.—Inspected the boats and crews to be employed in the Lagoon, and found them in every way efficient.

December 29, 1852.—Boats crossed the bar without accident; after fitting and manning Vice-Consul's boat, started for Okobo, a small town about twenty miles up the Badagry Creek, occupied by Wawou, the Chief who had been driven from Badagry by Maweu (the present Chief); of Alapa, the second Chief, I shall say nothing, he being a nonentity.

Mayo had taken refuge from Porto Novo under Wawou, at Badagry, and, when strong enough, drove the rightful Chiefs, Wawou, Possu, Okrou, and others, from the place.

Held a palaver at Okobo on the morning of the 30th, at which Waweu begged the English would see justice done him, and have him returned with the other Chiefs to their country, Badagry; they were all friends of the King of Porto Novo, and most anxious to sign a treaty with us; whereas Mayo was his enemy, and the cause of the blockade of the Lagoon, having been driven from Porto Novo for the murder of one of the former King's sons. He knowing his life forfeited, was keeping up a war with the King of Porto Novo.

I of course gave no promise, but told Wawou that if his story were true, perhaps the English might assist him. I found out afterwards at Badagry from many of the old inhabitants and merchants the truth of this story, and in addition that Mayo had broken the article of the Treaty signed by him, relative to the murder of prisoners, having lately captured one of Possu's wives going to Adu, beheaded her, and placed the head on a stake in the river. I now began to suspect the true cause of the blockade, and that it was probable the King of Porto Novo was not so much to blame as supposed.

December 31, 1852.—Had a long conference with Mayo, accused him of being the cause of the blockade and misunderstanding with Porto Novo. He could not deny that he and Akatoye had driven Wawou and other Chiefs from Badagry. I told him the best thing he could do was to go to his friend Akatoye at Lagos, which would at once open the Lagoon (I may as well here mention that I impressed on all the Chiefs, of whatever party, the great wish of the English Government to settle all their affairs with justice, and, if possible, without using force); to this he said "he would do as we say." He soon, however, proved he had no intention of acting up to this. I would not at this time accuse him of breaking the Treaty, thinking it bad policy, should we be induced to keep him at Badagry.

On my mentioning I was the next morning going to Porto Novo, he begged me not to agree to send him back there; of course I promised this, as he was sure of losing his life should I do so.

He informed me, and I heard from other sources, that the Issus intended attacking us just above Badagry; that the King of Porto Novo had ordered them to do this, as he had been told the next time the English came it would be to destroy his town.

I gained the following information with regard to these Issus:

They are a body of men living chiefly on the water; they are about a thousand strong, and their town is called the City of Sticks, from being built like many Malay towns on piles in the Lagoon. Their canoes never carry more than three men; the centre man armed with a musket, the other two with spears; they generally, if attacking a large number of other canoes, rush out from the high grass and jungle at the side of the Lagoon, and manage their small canoes with such rapidity and dexterity, as to leave the party so suddenly surprised little chance of escape.

Two hundred of these canoes were said to be awaiting us; of course I took all proper precautions, though pretty well convinced they would not dare to attack us.

These canoes are sent here to protect the Adu Creek, and enable the Porto Noveans to supply that town with provisions, &c.; hence the constant collisions between Mayo's people and them, and the stoppage of trade to Badagry.

January 1, 1853.—Left Badagry for Porto Novo, keeping a good look out for the Issus, but no signs of them, except here and there a few, who, on seeing us, started in shore, and hid themselves in the long grass; of course I took no notice of these. At 3 P.M. anchored abreast, close into the town, with a flag of truce flying.

The shore was crowded with armed and unarmed men.

I sent the King a message by a canoe that came off, to say I should come on shore in half an hour to hold a palaver with him.

At 4 P.M. myself and Mr. Fraser landed with the men mentioned in the margin,* and had some difficulty in making way through a crowd anything but friendly.

Arrived at the King's house, about a mile from the landing; we went through the ordeal of water, wine, &c., soon after which the King made his appearance. He is about seven or eight and twenty, effeminate in his manner and appearance, and has far from a good expression of countenance.

* Captain's Coxwain, 1 Serjeant, Royal Marines, 6 Private Marines.

I began by accusing him of breaking the Treaty, by not allowing free trade with Badagry; to this he answered, as I expected, that he could not trade with a man (Mayo) who was his enemy, and did him all the harm he could by preventing him from assisting his town Adu.

After allowing him to explain the state of affairs, which were, as I have before mentioned, he said if I would bring back Mayo to his country, all would go well; I said no doubt his intentions were good towards him, but he (Mayo) had his fears; and of course his having once signed a Treaty with us, he was to a certain extent under our protection. This seemed to cause great dissatisfaction, many of the people, of whom there were about 500 present, leaving, and returning armed. The King and Chiefs, however, did their utmost to keep things quiet. I also ordered the sergeant and men to keep perfectly quiet, being fully aware the least sign of suspicion on my part might cause a rupture.

When things were again quiet, I explained to the King and Chiefs how unjust it would be for us to deliver up to his enemies a man who as yet was under our protection. I then proposed that Mayo should go to Lagos to his friend Akatoye, that Wawou and all the Chiefs, except Possu, should return to their country, Badagry, and then there could be no more cause to stop the trade of the Lagoon. At the end of this there was again a great disturbance in favour of Possu's return also to Badagry; this I said should never be, as he had once, to use their own expression, attempted to "break" an Englishman's house and killed two of his men, who were defending it; again a great disturbance, and it being now late, I said I would finish the palaver the next day. The Chiefs came down with us to the boats with torches, and kept the people in tolerable order; they were evidently in a state of great excitement, thinking we had come up to destroy the town. Took the boats to the centre of the Lagoon, to prevent alarm.

January 2, 1853.—Hauled the boats in quietly to their former place, and landed with Mr. Fraser, the Vice-Consul, and marines. After all preliminaries the King appeared, looking anything but pleased, as I found out afterwards, from his having had trouble with his subjects, who are certainly not a very orderly set.

I again made the proposition of yesterday, and told the King he must recall Possu from Adu; that then the Akbahs would withdraw, and leave the inland passage free as well as the Lagoon.

This seemed to give so much satisfaction, that I told them I and Mr. Fraser would ourselves go over to the Abeakoutan camp and endeavour to arrange the matter. The King now agreed also to sign a treaty of peace with the Akbahs. This I thought of importance, as the King of Dahomey, I am told, fully intends coming down on the Akbahs, should they take Adu, which, as well as Porto Novo, is within his territory.

After much more palaver, the above being agreed on, I took my leave. On our passage to the boats we were met by bodies of armed men, about fifty in each, all with muskets, who interrupted our passage in the lanes, and only cleared away on the Chiefs speaking to them. We met, I suppose, seven or eight hundred this way; the King's brother, however, and Chiefs kept them quiet, and we got on board without any further annoyance.

I did not for a moment suppose that these were intentional insults of the King and his Chiefs, but arose from the excited state of the populace and troops called in from the country, supposing we had come, as they had been told we should, to destroy the town; a thing I might have easily done from the boats, without landing a man, particularly had I had a few rockets, which however Commander Foote forgot to leave me.

In the evening left for Badagry, and arrived there the morning of the 3rd, and sent for Mayo; Mr. Fraser and myself had a private palaver with him, pointing out to him that he was the cause of all the disturbance in this part of the Lagoon; that he had driven the rightful Chiefs away, and it was evident, as long as he remained at Badagry there would never be peace. I pointed out how easy it would be for me to take him and deliver him to his enemies, when he would lose his life.

He now produced the Treaty, as I expected, and after allowing him to talk for some time, I pointed to and read to him the Article relative to the murder of prisoners, and asked him where Possu's wife was whom he had taken prisoner. To this he had no answer, and after looking very blank for some time, said he would leave Badagry, if the Akbahs would let him. I told him he should go whether or not, that the next morning I should send for Wawou and the other Chiefs; and if he liked I would escort him to Lagos. He then left.

January 4, 1853.—After procuring horses for myself and Mr. Fraser, I ordered Lieutenant Ruxton to go down to Okobo, and have everything ready to bring up Wawou and his people the following morning, should he not hear from me.

Started for a town called Mow, about six miles from Adu, where I had ordered the Akbah Chiefs to meet me; at 2 P.M. arrived at a long piece of stagnant water, where we were kept upwards of an hour before they sent us canoes, when we crossed and arrived at Mow.

On the opposite side there were encamped about 500 or 600 men, very well armed, the Chiefs and others having horses, and these far superior to any I should have expected to find.

The Chiefs (of whom I inclose a list) came to us in about half an hour; I explained to them that their enemy Possu was that day withdrawn from Adu by my arrangements with the King of Porto Novo; that his having taken refuge there being in a great measure the cause of their besieging a town belonging to the King of Dahomey, there was no longer any pretext for doing so, and I felt sure they would be glad to show the English Government their good feeling by immediately withdrawing their forces, and allowing a free traffic up the country. I also stated Mayo's case, and showed them how hopeless it was his attempting to remain at Badagry; that I felt sure they must see the justice of the proper Chiefs returning, which would prove as beneficial to them as to others.

I was astonished at their answer; they said, "losing the friendship of the English was nothing to them compared with taking Adu; that they must and would take it; and that for Mayo he should stop at Badagry, and if we placed Wawou there, they would "turn him out." I said this was a curious way to show gratitude to a country that had so befriended them; I should report what they said to the Admiral. I saw there was no use in fruther talking, and putting on an offended manner, told them they must never expect England to support them in an unjust aggression on the territory of the King of Dahomey, and they could not expect us to mediate in an unjust cause.

They allowed us to depart without the least offer of assistance, and we had again to wait an hour for a canoe to take us across the swamp

We met both on our going and returning many armed men on their way to Badagry, I suppose sent by the Akbahs to assist Mayo; however they showed no signs of hostility.

On my arrival at Badagry, about 9 o'clock P.M., I sent for the merchants, and Mr. Martin, a missionary, telling them what had occurred; they all said they felt certain the Akbahs would be too glad of an excuse to plunder Badagry, and though they were all most anxious for Wawou's return, they thought it would be certain destruction to their property if he came at once.

Under these circumstances I did not feel justified in carrying out my intention till I had communicated with Abeakouta; I therefore sent a canoe down to Okobo, about twenty miles, to order Lieutenant Ruxton to return without Wawou.

He arrived about 2 P.M. on the 5th instant.

At sunset I left with the merchants, who said they wished to go down to Lagos, as they feared the Akbahs might attack Badagry, even though I had not brought back Wawou.

Before leaving I sent three times for Mayo, saying I wished to see him; he however would not come, fearing, I fancy, I should take him prisoner. I therefore sent the interpreter to inform him that he would be held responsible for English property in Badagry.

On the morning of the 6th anchored off Okobo, landed, and saw Wawou, explaining to him my reason for not at present placing him at Badagry; he seemed well pleased not to have been placed in so dangerous a position just at present, and very thankful for what had been done.

On the afternoon of the 6th anchored inside the inner bar, dismounted guns, &c., and prepared for crossing the bar.

On the following morning landed Mr. Fraser, Mr. Sandeman, Mr. Little, and Mr. Martin, at Lagos.

At 6 A.M. of the 7th instant the boats crossed the bar without accident, and returned to their respective ships, not having had as yet a case of sickness.

(Signed) A. HESELTINE.

Inclosure 4 in No. 109.

List of the Akbah Chiefs who attended the palaver at Mow.

Orbashorrung, *Head Chief.*
Shokchnu.
Ortambala.
Allorba.
Ahreh.
Miminu.
Akauni.
Osho.
Shogeh.

(Signed) A. HESELTINE.

Inclosure 5 in No. 109.

LIST of BOATS, with their Officers and Crews, employed in an expedition to Porto Novo under Commander Albert Heseltine, between the 28th December, 1852, and the 7th January, 1853.

Ships belonging to	Boats.	Officers' Names.	Number of			Remarks.
			Seamen.	Marines.	Kroomen.	
Britomart	Whale-boat	Commander A. Heseltine	5	—	—	
	Pinnace	Lieutenant Ruxton, and Mr. Barnes, Mate	9	4	2	
Alecto	Pinnace	Lieutenant Rowe and Dr. Sloss, Assistant-Surgeon	11	2	2	
	Paddle-box boat	Mr. Cay, Midshipman, Mr. Nicholson, Master's Assistant	20	2	2	
	Vice-Consul's boat	Mr. Stackhouse, Mate	8	5	—	
		8 Officers	53	13	6	Total 80

(Signed) A. HESELTINE, *Commander.*

Inclosure 6 in No. 109.

Commander Heseltine to Vice-Consul Fraser.

Dear Sir, *H.M.'s Ship "Britomart," Lagos, December* 27, 1852.

I HAVE received your letter of the 27th instant, and perfectly coincide with you that something ought immediately to be done by friendly mediation to quiet the affairs of Badagry.

I shall therefore be in the waters of Lagos to-morrow afternoon, with a force not so large as to create alarm, but sufficient to command attention to just demands.

Should your health permit, I shall be glad if you can, as you propose, accompany me.

I have, &c.
(Signed) A. HESELTINE,

Inclosure 7 in No. 109.

Captain Heseltine to the Head Chief of Abeakouta.

Sir, *H.M.'s Ship "Britomart," Lagos, January* 7, 1853.

YOU will see, I hope, by this letter that the English wish to be just to all men, and that though they may be strong, they never put that strength to a bad use.

On the morning of the 4th instant, I went to a village called "Mow," where I had appointed to meet the chiefs commanding the forces beseiging Adu.

I had before this been to the King of Porto Novo to make him give up the blockade of the Lagoon at Badagry, which he promised to do, but begged me to bring back Mayo to his country; this I refused, as he had once made a Treaty with the English, though he has since broken it by the murder of one of Possu's wives.

Mayo was the enemy of the King of Porto Novo, which you, as well as I, am aware is the case; I also told the King of Porto Novo he must withdraw Possu from Adu, as his being there gave offence to the Akbas, and caused them to try and break that place: this he promised to do if the Akbahs would leave Adu, and he was willing to sign a Treaty of peace.

As I had always heard from our Government, Mr. Gollmer, and others, much of the good intentions of the Akbahs towards the English, I could not suppose for one moment that a just demand would be refused, particularly in the very rude manner it was by all the chiefs I saw; their words as interpreted to me were, "that they did not care about losing the friendship of the English, they were determined to break Adu whether Possu was there or not."

Mayo also having promised to go, if the Akbahs would let him, I asked the Akbah chiefs to give their consent, as it would cause peace and free trade in the Lagoon, by restoring the rightful chiefs, Wawou and others (all but Possu, whom I made the King of Porto Novo promise should never go back there, from his having attacked an Englishman's house).

The answer to this was, that "they would not let Mayo go;" in fact, all their manner was that of defiance, and the chiefs certainly were as rude and uncivil as possible, keeping the Vice-Consul and myself for an hour and a-half waiting for canoes to come over the swamp to Mow, and giving us no assistance in going back.

I have thus far stated what occurred, and must now make a few remarks. If the Akbahs should break Adu, it is not likely the King of Dahomey would patiently bear this, nor would the English ever support the Akbahs in an unjust aggression.

Should they therefore proceed in attacking Adu, or breaking it, they cannot look to the English for mediation as before, should the King of Dahomey attack them in return.

All the English merchants have left Badagry, seeing the Akbahs are determined to support a man (Mayo) who has no right there, and who is a constant cause of trouble and stoppage of trade with Porto Novo, the King of which place has promised also that free passage past Adu shall be given to all traders.

I could say much more, but hope I have said enough to induce you to agree to the just demands made, and secure the friendship and mediation of England in every just cause.

I remain, &c.
(Signed) A. HESELTINE,
Senior Officer of the English Men of War in the Bights of Benin.

P.S.—Be good enough to answer this immediately, as I must write by this packet to England.

Inclosure 8 in No. 109.

Captain Heseltine to the King of Porto Novo.

Sir, *H.M.'s Ship "Britomart," Lagos, January* 8, 1853.

ON my return to Badagry after seeing you, I went to the Akbah camp, and told the chiefs they must withdraw their forces from Adu, as Possu was to leave and go to you at Porto Novo: I regret to say they said their honour was concerned in taking this place whether Possu was there or not; I told them the English would never support them in doing an unjust thing, and they must take the consequences.

The English merchants have left Badagry, as they will not stop with Mayo, who has thrown himself into the hands of the Akbahs.

I could have taken Mayo and placed Wawou at Badagry, but as soon as I left, your friend (Wawou) would have been attacked by the Akbahs, and probably killed.

You will see by this I have had great patience in keeping peace; you must do the same.

I have written to the head chief at Abbeokuta to withdraw their troops from Adu, and shall act according to their answer.

I remain, &c.
(Signed) A. HESELTINE,
Senior Officer of the English Men of War in the Bights of Benin.

Inclosure 9 in No. 109.

Rear-Admiral Bruce to Commander Heseltine.

Sir, "*Penelope*," *Sierra Leone, February* 10, 1853.

I HAVE to acknowledge the receipt of your letter of the 11th ultimo, and its inclosures, reporting your proceedings at Badagry and Porto Novo, and I regret to say, that after maturely weighing all the circumstances which you have brought to my knowledge, I cannot give to those measures the unqualified approval I should wish to do.

The whole tenour of my orders and instructions to the several officers employed in the Bight of Benin shows how desirous I have been not to involve Her Majesty's Government in the political disputes of the Chiefs. With the sole exception of Akitoye, to whom, so long as he observes the conditions of the Treaty of January, 1851, the possession of Lagos is guaranteed; the question of who should rule in the neighbouring territories was left entirely to the people themselves. All that we require is, that the Chief *de facto* should respect British life and property, and act up to the stipulations of any engagements that may have been entered into with us.

But in case the late senior officer might, on an occasion of emergency, find himself too closely bound by the orders and instructions referred to, I gave him, and subsequently you, authority to endeavour to reconcile the differences between the Chiefs of Porto Novo and Badagry, so as to remove the impediments which were thereby caused to British commercial interests. It was on this authority, of course, that your operations were based, and it is to be wished that you had confined yourself to the legitimate ground of friendly mediation; but I cannot see sufficient reason for the attempt you made to remove Mayo from Badagry and set up Wawou in his place. I had treated with the former as the ruling Chief, and in that capacity he signed a Convention with Commander Strange for the suppression of the Slave Trade, &c.; it can then scarcely be justifiable to question the authority of Mayo in favour of Wawou, even supposing the latter to be, as you imagine, the "rightful Chief."

Wawou is an ally of the Chief of Porto Novo; Porto Novo is tributary to Dahomey; and Dahomey is inimical to Lagos and Abbeokuta: so in restoring Wawou to Badagry, the road would be open to a powerful and treacherous foe, the difficulties that now beset Akitoye considerably increased, and the only two countries in Benin which it is our desire to support would be jeopardized. Mr. Fraser even appears to have had some idea of such a coalition, for in his letter to you, dated 27th December last, he says: "The ex-Badagrians have procured the assistance of Porto Novo, and it is very possible that Dahomey may join them."

I regret to find that fever, the almost inevitable result of prolonged boat service in the waters of Africa, has displayed itself in the Britomart; should the disease increase, or assume a dangerous type, it will be necessary for you to proceed at once to Ascension.

And now, having briefly stated my views on the political bearings of the case, it is particularly gratifying for me to acknowledge the zeal and activity you evinced in conducting the expedition, the report of which shows that you were exposed to considerable personal danger in the carrying out the service. I am convinced that you took every precaution within your means to keep the force healthy; and your testimony to the good conduct and exertions of the officers and men under your command is highly creditable to them, and must be duly appreciated.

I have, &c.
(Signed) H. W. BRUCE.

Inclosure 10 in No. 109.

Rear-Admiral Bruce to Vice-Consul Fraser.

Sir, "*Penelope*," *off Lagos, February* 25, 1853.

THE effort for mediation between the conflicting Chiefs up the Badagry Lagoon, recently made by Commander Heseltine and you, having been unproductive of any satisfactory result, I have to inform you that I cannot sanction any further interference on the part of Her Majesty's Naval Officers on a similar occasion.

The Chiefs must settle their own quarrels without assistance from us, which can only be legitimately given when British life or property is in impending danger.

I request you to inform King Akitoye, in reply to a letter he sent me, that he will be supported at Lagos by every means in my power; and that I advise him to collect friends about him, so as to be always prepared to act in defence of his just rights, and to repel aggression.

I have, &c.
(Signed) H. W. BRUCE.

Inclosure 11 in No. 109.

Vice-Consul Fraser to Rear-Admiral Bruce.

Sir, *Lagos, February* 27, 1853.

I BEG most respectfully to differ in opinion with you respecting the Badagry palaver; had it been a country palaver I have not the least doubt it would have been settled amongst themselves long since. It is a palaver originated by those who from want of information, or from being misinformed, signed a Treaty, and promised English support to a man (Mayo) who has no claim, and from his past life, cannot be acknowledged by the surrounding chiefs. Moreover, he has broken that very treaty by murdering prisoners of war.

Again, British life and property are at stake. Mr. Sandeman, from past circumstances, dare not return to Badagry. What is to become of his house and property? in fact he is now a ruined man.

The Badagry trade, which used to be considerable, is entirely ruined.

And lastly, by your decision, you jeopardize my life; those who would have suffered from the change will continue my enemies, and those who expected their just rights will consider that I have assisted in deceiving them, and become my enemies also.

After what has passed, can you suppose that any one will again take the word of a British officer?

I have, &c.
(Signed) LOUIS FRASER.

Inclosure 12 in No. 109.

Vice-Consul Fraser to Rear-Admiral Bruce.

Sir, *Lagos, February* 27, 1853.

I RECEIVED your letters yesterday, but was too ill to answer those addressed to me; the others were distributed.

You must excuse paper, as we have no stationers' shops.

Pray excuse the writing, for I am hardly strong enough to go through with it.

I have, &c.
(Signed) LOUIS FRASER.

Inclosure 13 in No. 109.

Vice-Consul Fraser to Rear-Admiral Bruce.

Sir, *Lagos, February* 27, 1853.

I TRUST you will excuse my delivering your message to Accatoy, for the following reasons:—

1st. There is no occasion for it; all being peace and quietness.

2nd. It would be a signal for Accatoy to make war on Jaboo, a thing which I have had some trouble already to prevent. I have had to tell him that he would not be supported, if he continued in the way he has been going.

I have communicated with the King of Jaboo, who assures me he will do all on his part to keep the roads open and improve trade.

I have, &c.
(Signed) LOUIS FRASER.

Inclosure 14 in No. 109.

Vice-Consul Fraser to Rear-Admiral Bruce.

Sir, *Lagos, February* 27, 1853.

OUGHT not I, as an officer under the British Government, and placed in such peculiar circumstances, be made acquainted with the contents of official letters which are passing to and fro?

According to the rules of the Foreign Office, copies of everything that passes within the range of my district are forwarded to me for my information, and to be kept among the archives of my office.

I have, &c.
(Signed) LOUIS FRASER.

Inclosure 15 in No. 109.

The Rev. H. Townsend to Rear-Admiral Bruce.

Sir, *Abbeokuta, January* 17, 1853.

I HAVE respectfully and thankfully to acknowledge the receipt of the letters of which Captain Foote was the bearer; the short time that elapsed from my receipt of them to the time of Captain Foote's departure, a few hours only, prevented my replying to them, having just returned in haste to meet him.

The very kind manner in which you have received my letters induces me again to address you, and I do it with much trouble of mind arising out of circumstances that occurred at Mowo, in an interview between Captain Heseltine and the Vice-Consul with the Egba war-chiefs,—circumstances that must tend to mar the good understanding that has hitherto existed between the Egbas and English.

It is a subject which affects myself and those associated with me, and also the progress of civilization and religion in the country in no small degree, and therefore I hope I may be permitted to state candidly the impressions these things make upon my mind, and also the popular views of the case among the Egbas.

I feel a difficulty in it, inasmuch as I am thereby in some measure complaining of the want of wise and prudent conduct in British officers.

When Captain Foote was here, he told me, and I believe the native Chiefs, that some boats were about to proceed to Porto Novo, on account of the King of that place having broken the Treaty with the English; if I understand rightly, the Chiefs also asked him to assist them at the same time in the Ado war; at any rate, Captain Foote asked me privately what could be done in the case, and I answered the only thing to be done is to make peace between them by mediation.

The Chiefs at the camp heard of the English going to demand satisfaction from Porto Novo with no small pleasure, as Porto Novo was using every means to strengthen Ado against them; but after this they heard again that the English were not demanding satisfaction on account of a Treaty of their own, but were listening to the reports of the enemies against themselves. They regarded this as strange conduct on the part of the English, their friends; it certainly was a bad step towards mediation, and most unlikely to prove successful. They heard again that the English officers were receiving presents from Porto Novo and others.

In order to understand the quarrel that subsequently arose, it is necessary to appreciate the feelings of the natives on receiving these accounts, and view them not as Englishmen, but as the natives would under these circumstances.

Captain Heseltine and the Vice-Consul, probably not aware of the prejudices they had raised against themselves, came to meet the Chiefs from the encampment with the very laudable object of making peace with the various native tribes at war, and to open the road for trade. They came prepared to dictate conditions to the Egbas, conditions framed upon the evidence of their enemies, and demanded from them, upon pain of the forfeiture of the friendship of the English, that they should leave their war and return home; that they should abandon their faithful friend and long ally, the Chief Mayo; in return, Possu is to be removed from Ado.

Captain Heseltine proposes this as a just demand, founded upon the notion, that the only cause of the war was the presence of Possu in Ado. I know that this is far from being the only cause of the war; I think from what I know that this war might have been deferred for a time, if Possu had not been there; but certainly it would take place if other causes of offence had not been removed as well. The Chiefs told me long before they went what their grievances were, and therefore I know that the demands made were not founded upon right knowledge.

I opposed their going to war, but certainly not upon the ground that they had no just cause for war, but upon the general principle that war was inexpedient in itself, and also that their wars were not carried on on principles of justice and humanity. I do not mean to imply that they are more unjust or inhuman than their enemies.

Captain Heseltine says that Mayo had broken his treaty with the English by killing one of Possu's wives, but says nothing of the King of Porto Novo having broken his treaty by stopping the trade road between Porto Novo and Badagry.

Captain Heseltine says that Mayo is not the Chief of Badagry, in which he contradicts the very treaty that he says Mayo has broken, for the treaty is between the English and Mayo, as Chief of Badagry; in truth, Captain Heseltine takes the part of the King of Porto Novo against the Chief Mayo and the Egbas. The Egbas very justly say, "we have nothing to do with the King of Porto Novo; we are at war with Ado, and not Porto Novo, although the Porto Novians are treating us as enemies."

You will have been informed that the late commander, F. Forbes, sent to the Ados, I believe twice, about establishing peace; the last time proposed visiting them on his way from Badagry to Abbeokuta, but the Ados refused him even admission into their town. The Egbas are aware of this, and their conduct is in some measure governed by this knowledge; and they think it the more strange that their friends should so suddenly turn round and advocate the cause of their enemies, persons that have shown so little respect for the English up to the time of their carrying war to Ado. Porto Novo has broken the English Treaty; Ado refused the overtures for peace of a British officer; how is it then, that a British officer becomes their advocate against themselves, the Egbas, who have respected their treaty, and ever listened to advice given them up to this time; and so they reason.

It must be borne in mind that Captain Heseltine does not mediate but demands, and makes or implies a threat on their non-compliance with his demand.

I cannot but regard it as most unfortunate that these circumstances should have occurred; it lessens the native's value of the English character and influence.

They regard Captain Heseltine's proceedings as unfriendly and inconsistent with the proceedings of other officers who have preceded him, and unjust. Their views on the subject are not altogether incorrect; and although they may be made to submit, from the pressure of circumstances, to what

they think are Captain Heseltine's unjust demands, but then submission, under such circumstances, is too dearly purchased.

It has been said that they received money from Possu, to keep them from coming to Ado; whether true or not I don't know, but I know that Possu sent to them repeatedly, and I suppose money also, to beg them to convey him by force of arms back to Badagry, and reinstate him there. I have seen his messengers here repeatedly since he has been residing at Ado.

It must be borne in mind that the native soldiers receive no pay, that plunder is their pay; and to withdraw a native army, therefore, when not defeated, is a task that the native Chiefs would, under any circumstances, shrink from; and this is rendered the more difficult from the weakness of their Government.

I have been spoken to respecting these matters by the Chiefs now in Abbeokuta; they have but one mind as to the justice of their cause; but the rude and uncivil conduct of the war-Chiefs they condemn. They wished me to write to you for them a history of their war with Ado, as they said they know the admiral would not sanction such demands; I refused doing so, then recommending them to wait and hear from Captain Heseltine what had occurred.

I must also observe that this letter is not written in consequence of their request, nor do they know of my writing; in no respect, therefore, is this to be understood as coming from them. I read to them Captain Heseltine's letter, and recommended them to send for a Chief from the war camp, and consult together before replying to it; what they will do I don't know, but I hope they will come to some terms consistent with just principles.

I do not write this with a view to complain of the conduct of British officers, for I regard the efforts of Captain Heseltine to make peace, as having a most desirable object in view, although mistaken as to the means by which it may be brought about. The natives regard a Mr. Sandeman, a merchant at Badagry, as being the author of the whole matter against themselves.

I write this, too, as having much at stake. I am personally interested both as a Christian missionary and as a resident here: this I hope will be a sufficient excuse for my troubling you with this long letter. I feel assured you will see justice done, and that you will regard the conduct and refusal of the Egba Chiefs, not as intended against British officers as such, but rather against those upon whose testimony they acted. I shall do what I can to get the Egbas to remove their camp, upon the understanding that the English forces will get what may prove to be their just demands.

With much respect and best wishes that this unpleasant affair will have a good termination,

I remain, &c.

(Signed) H. TOWNSEND.

Inclosure 16 in No. 109.

Rear-Admiral Bruce to the Rev. H. Townsend.

Sir, "*Penelope*," *Sierra Leone, February* 16, 1853.

I HAVE received your letter of the 17th January last, and a communication from certain Egba chiefs at Abbeokuta, on the subject of their war with the people of Ado.

Prior to the receipt of the above I was in possession of a Report from the officer to whom I entrusted the temporary command in the Bight of Benin, detailing his proceedings at Porto Novo and Badagry; and I am sorry to say that I found it necessary to disapprove of the course which he, in conjunction with Mr. Vice-Consul Fraser, took upon himself to adopt at those places. The policy I am required to follow, and which I have taken every means to make known to the officers serving under my orders, is based upon the principle of non-interference in the disputes of the natives, that is, to avoid an interference in favour of either one party or the other, which, to be effectual, would require us to resort to coercive measures. The only exception to this rule is Lagos, where we intend to uphold the authority of Akitoye. All the moral influence we possess may well be used to put a stop to wars detrimental to commerce, and calculated to retard the diffusion of Christianity and civilization; and when the officer referred to first entered on his expedition, it is evident that he intended to confine himself to the exercise of this influence, but I am afraid he allowed his better judgment to be controlled by other parties, and so, in the end, went beyond what his instructions authorized him to do.

To obviate the unpleasant consequences that might arise from these untoward proceedings, I request that you will do me the favour to explain my views to the chiefs in Abbeokuta, assuring them that so long as they observe their Treaty with us, they may rely upon our friendship and goodwill; that while we desire, on the common ground of humanity, to see them at peace, we do not insist on their ceasing to war with Ado, because we cannot thoroughly comprehend the particulars of their quarrel with the inhabitants of that town; and, further, that it is not our intention to remove Mayo from Badagry, or to assist his enemies in any way. At the same time, I should wish the chiefs to understand that I felt very much disappointed at hearing that Commander Heseltine had not been received at the camp at Ado with that respect and attention which was proper and incumbent upon them, under any circumstances, to show a British officer. They should also be told that when Commander Thomas G. Forbes was at Abomey, negotiating for the security of Abbeokuta, Guizo complained, that while we impeded his actions, we did not notice the aggressions made on his allies by the Egbas.

In conclusion, I take this opportunity of requesting you to make known to the chiefs that Commander Foote gave me a very favourable account of their condition, which I sent home for the information of Her Majesty's Government; that I earnestly hope to hear of their listening to the religious teaching of the missionaries, and causing their children to attend the schools regularly, in order that they may gain knowledge, and become what England expects them to be, the greatest and the happiest of all African nations.

I have, &c.

(Signed) H. W. BRUCE.

Inclosure 17 in No. 109.

Mayo, Chief of Badagry, to Rear-Admiral Bruce.

My Lord, *Badagry, January* 12, 1853.

THE following lines are written to your most honoured presence, begging of you, with submission, to condescend and read, in order that you may be assured of my dangerous state, and that my life is at stake; and as I am heartily a subject of the Queen, and my whole trust is set on Her Majesty, I therefore apply to you for relief. But previous to this a concise account of the source of this sad circumstance must be related, of which the following are the principles:—

During your absence from our coast we have been enjoying our peace as usual, but a town, by the name of Ado, that has been really proved to be one of the chief adherents of the Dahomian King, and a real enemy to Abbeokuta and the whole British subjects, was invaded by the inhabitants of Abbeokuta, with the intention of destroying it, and thus secure a way of peace to the surrounding towns and countries that associate with Abbeokuta; but this prosecution is now somewhat too hard to be performed by the Egbas (the inhabitants of Abbeokuta are thus termed). The King of Porto Novo, being a real friend to His Majesty the King of Dahomey, thought of defending the said town (Ado) from being seized; in order to have this done, he sent part of his armies against us. He did this to get the stream that runs to Ado safe from harm, and from our hands: thus he would send abundance of food, guns, powder and bullets to strengthen them against the Egbas, as he could not contrive any other plot for their relief. Seeing what prospect he has in view, I sent my armies against him, who expulsed them at the first attack. But he saw what a shameful thing it is, forced nearly the whole of his armies against us, with whom we could not compare ourselves, for they came in multitude. Seeing that we could do nothing, we cried for relief from Her Britannic Majesty's Consul, Fraser, who is stationed at Lagos, before whom I sent my messenger to explain all that has taken place, and even he understands the very secret parts of it. He returned me a very delightful reply, namely, that he is ready to do as much as are in his power for us, that we should ask, and moreover he will assist the Egbas in their exploit, so far as all are for our good, for we are in profession British subjects, for we, and all we are worth, are theirs. When beholding such a friendly pity, I returned some tokens of my gratitude, and that I was expecting the help that he would afford us. He indeed was faithful to his promise, and came up with boats of war; while coming in the way to Badagry with my messenger who was with him, there met him in the way Mr. Sandeman, one of the merchants at Badagry, who cares not for our good, nor for the welfare of the missionaries in this part of Africa, but only for his traffic, and how it may be carried on. This gentleman met the Consul, and spoke many things against us, which is obvious from the change that suddenly occurred, for the Consul arrived at Badagry did, on the whole, contrary to his promises. He went up to Porto Novo, and thence to Ado, and returned to Badagry: what he has done over there is not certainly known. He said that the Egbas are real adversary to the Queen, and that I must be carried to Porto Novo, whether willing or not, if not in peace, it must be by force of arms. He went down Lagos, and assured King Akitoye to hinder his people from coming up to Badagry, for he has to fight with me; and by force he would have me go to the said town, if not I must be deprived of my life. This is the whole account. I am now in danger; should I go over to Porto Novo, I shall be murdered either publicly or in private, as you know. So therefore our state is now confounded, and I have no hope of escape, for he will surely come over against me according to his promise. Therefore I beseech you to see, for unto you will I cry for help, for I am yours, and we are the Queen's subjects; behold us here with pitiful eyes.

I have, &c.
(Signed) MAYO.

Inclosure 18 in No. 109.

Rear-Admiral Bruce to Mayo, Chief of Badagry.

Sir, *H.M.'s Ship "Penelope," Sierra Leone, February* 16, 1853.

REAR-ADMIRAL BRUCE has received a letter from Mayo, Chief of Badagry, dated the 12th of January, on the subject of the war between that country and Porto Novo.

In reply, the Admiral can only repeat what Mayo was distinctly told just this time last year by Commander Strange, namely, that the English will not interfere with him in any way in the Government of Badagry, so long as he observes the conditions of the Treaty and respects the persons and property of British subjects.

The Admiral wishes well to Mayo, he therefore strongly advises him to make peace with Porto Novo, not only for his own sake, but for the general good of the people whose trade is injured by the war parties now occupying the Lagoon.

(Signed) H. W. BRUCE,
Rear-Admiral and Commander-in-Chief.

Inclosure 19 in No. 109.

The Egbas of Abbeokuta, to Rear-Admiral Bruce.

Honoured Sir,

WE, the Egbas of Abbeokuta, give our most humble and sincere respects to Admiral Bruce.

As men capable of showing gratitude we always remember with a thousand thanks the almost unequalled benefits and kindness of the good English nation towards us; and though we have nothing to pay as a token of gratitude, yet we dread at giving a wilful offence to so good and benevolent a people, into whose hearts God has put it to be friends of Africa.

But we now begin to suspect that some one, either through misunderstanding or for want of searching into matters or things, might by wrong constructions induce our good English to be angry with us.

We, therefore, write to inform you that we have, as we think, our reasons for making war on Ado. This Ado is about eighteen miles from Badagry and on our way from Badagry to Abbeokuta. For many years Ado have been annoying our people in their way to Badagry by kidnapping and killing some of them.

Of late we found that Kosoko and Possu, who was driven away from Badagry, have formed a combination with the King of Dahomey to fortify Ado, that Kosoko might settle at Ado, to prevent our intercourse with Badagry.

We asked help from the English that Ado might be subdued, and war boats were sent, which passed straightway to Porto Novo, but at their return they called for us to meet them at Mayo, a place between Badagry and Ado; we therefore came to Mayo, and had a meeting with Consul Fraser and another naval officer, but then we were surprised to find that Consul Fraser threatened us that if we did not cease making war on Ado, he would call for the Dahomians to come and and destroy Abbeokuta.

The Consul commanded also that Mayo of Badagry, who is both a warm friend of the English and us, should immediately leave Badagry and go wherever he liked.

Thus all our friends, who are on our part are grieved, and our enemies are now glorying over us. We beg you most earnestly and humbly as our great friend that you would condescend to have a peep into these things; we are sure that if Consul Fraser could carry all his threatenings into action, there will be a great confusion again in these parts.

Condescend to come and see into these things.

We beg, &c.
(Signed) SHOMOI.
SHOKENNU.
ALOBBA.
OTTAMBALA.
AKKODU.
SHOGEH.
&c. &c. &c.

Inclosure 20 in No. 109.

Rear-Admiral Bruce to the Egbas of Abbeokuta.

Gentlemen, *H. M.'s Ship "Penelope," Sierra Leone, February* 16, 1853.

ALL that I have to say in reply to your letter respecting the war with Ado, will be translated and told to you by the Reverend H. Townsend, who has ever shown himself ready to serve the Egbas. I hope you will profit by my words, and believe me to remain.

Your true friend,
(Signed) H. W. BRUCE,
Rear-Admiral and Commander-in-Chief of H.B.M.'s Fleet on the West Coast of Africa.

Inclosure 21 in No. 109.

Akitoye, King of Lagos, to Rear-Admiral Bruce.

Most respected Sir, *Lagos, January* 14, 1853.

ALLOW me to intrude upon your authority with these ill lines, hoping they might find you in good health and your officers.

Without saying much by writing, I fear that some confusions are just hatching, the which, I fear, will spread all around these parts. As I fear that I should not be able alone to put it down, I beg leave to say that you would be pleased to inquire into the matters.

The matter is principally about Badagry, and the Consul Fraser's wishing to send a certain party away from Badagry and replacing others. As I know very little as yet of the manner and customs of the English, I look much to you to be guided in difficult cases. Favour me with your attention to the present case.

I am, &c.
(Signed) AKITOYE.

No. 110.

Rear-Admiral Bruce to the Secretary to the Admiralty.—(Received April 14.)

Sir, *"Penelope," Lagos, March 5,* 1853.

I HAVE the honour to forward a letter for Her Majesty the Queen, from the King of Dahomey, which was received by me on the 26th ultimo.

In the event of the King's request for consuls to be allowed to visit his country being entertained, I beg to state that the proper season for travelling in this part of Africa does not commence before the month of November.

I have, &c.
(Signed) H. W. BRUCE.

Inclosure in No. 110.

Gazo, King of Dahomey, to Her Majesty Queen Victoria.

To Her Majesty Queen Victoria, *Whydah, November* 29, 1852.

I AM Extremely happy of writing your Majesty to inquire after your Health.

I beg your Majesty Parden to send your Two best Consels to me by one of your Majesty's Steamer. I have got a message for you. Sorry that this country I could not get good and best writer to write me all what I imagined to write you, and when they comes to write all my message on their return to England I shall send two natives my own messengers along with yours to receive an Answer of my letter.

I send my best regard to you. I beg your Majesty to Excuse the errors of in this letter. One of my principal Caboceer at Whydah called Yovogar send his Compliments also to you.

I am, &c.

(Signed) GAZO, *King of Dahomey.*

No. 111.

Rear-Admiral Bruce to the Secretary to the Admiralty.—(Received April 18.)

Sir, *"Penelope," off Whydah, March* 3, 1853.

I TRANSMIT herewith, to be laid before the Lords Commissioners of the Admiralty, the copy of a Report from Commander White, of HerMajesty's ship "Cygnet," with a plan showing the extent of lands occupied by the Church Missionary Society at Lagos.

From these documents their Lordships will see that the mercantile interests are not likely to suffer by the territorial acquisitions of the Missionaries at Lagos, as would appear to be apprehended from the correspondence of Messrs. Forster and Smith, copies of which accompanied your despatch to me, dated the 22nd December last.

I have, &c.

(Signed) H. W. BRUCE.

Inclosure 1 in No. 111.

Commander White to Rear-Admiral Bruce.

Sir, *H.M.'s Sloop "Cygnet," Lagos, February* 28, 1853.

I HAVE the honour to report that in compliance with your orders I proceeded this day to the town of Lagos, accompanied by Mr. Alexander, your flag-lieutenant, in order to make inquiry relative to complaints made by Messrs. Forster and Smith, merchants, of an undue proportion of the river frontage at Lagos said to be held by the Rev. Mr. Gollmer, on behalf of the Church Mission Society.

The investigation took place at the house, and in the presence, of Mr. Fraser, the Vice-Consul, Mr. Sandeman (agent for Messrs. Forster), Mr. Armadi, merchant, and the Rev. Mr. Gollmer being also present.

My first step was to request the Rev. Mr. Gollmer to state what pieces of land he held possession of, especially on the frontage; and to point out on a chart their exact position and extent; this done, I then required of him to show by what right he held the land, when with great readiness he produced an Agreement signed by King Akitoye and several of his Chiefs, and witnessed by Lieutenant Bedingfield, commanding Her Majesty's ship "Jackal," and Mr. Palmer, clerk-in-charge of Her Majesty's ship "Bloodhound," a copy of which, and the chart, I beg to inclose.

For your further information, I beg to state that the land about which this disagreement exists extends in all to fifty yards along the river's bank, as mentioned in the 3rd Article of the Agreement, and which the Rev. Mr. Gollmer declared in my presence, and that of the above-mentioned gentlemen, he would readily give up, if requested to do so in an amicable manner, for the sake of peace and harmony; this offer, I regret to say, was not received by Mr. Fraser or Mr. Sandeman in the friendly and accommodating spirit in which it appeared to be prompted.

I have, &c.

(Signed) R. D. WHITE.

Inclosure 2 in No. 111.

Agreement.

Lagos, March 1, 1852.

THAT Akitoye, King of Lagos, with his Chiefs, has made over to the Rev. C. A. Gollmer, on behalf of the Church Missionary Society, the undermentioned pieces of land, for the purpose of erecting on them churches, schools, and dwelling-houses for missionaries and native agents whom that society may employ at this station, Lagos.

1st. A piece of land in the district, called Okofagi, being situated outside the present town, called Brazilian town, and nearly opposite to the mouth of the Badagry river Ossa and close to the Lagos river, of the following dimensions, viz.:—

Two hundred yards long, from north to south, and 130 yards wide from east to west.

2nd. A piece of land known by the bread-fruit trees, on the north side of Okofagi; 66 yards long from north to south, and forty-one yards wide from east to west.

3rd. A piece of land known by Limo's place, not far from the house of the former Chief, Tapa, 96 yards in length from east to west, and 55 yards in width from north to south.

4th. A piece of land near the water-side called Elrite Ero, 70 yards long from north to south, and 23 yards wide from east to west.

5th. A piece of land on the elevated part of Lagos, behind the King's house, and not far from the market, 33 yards long, from east to west, and 23 yards wide from north to south, called Ojogim.

That King Akitoye has made over to the Rev. C. A. Gollmer the above specified pieces of land for the benefit of the Church Missionary Society, without any condition, and free of expense, and without limit of time, he declares by placing his mark to his name in the presence of his Chief and others.

(Signed) AKITOYE his ✕ mark.

C. A. GOLLMER.

NORMAN H. BEDINGFELD, *Lieutenant, Her Majesty's ship "Jackall."*
TOBIAS E. PALMER, *Clerk in Charge, Her Majesty's ship "Bloodhound."*
JAMES WHITE.

Chiefs and Elders:

AJINNIA ✕,
PILLU ✕,
ASAGBON ✕,
LOCOM ✕,
OLUMEGBON ✕,
OBBANIKOO ✕,
OLIKIMPI ✕,
ARUMERI ✕,
OUTANORA ✕,
KAKU ✕,
ASIDANNA ✕,
ELECTNODIBO ✕,
OLISIO ✕,

Each his Mark.

No. 112.

Rear-Admiral Bruce to the Secretary of the Admiralty.—(*Received May* 30.)

Sir, *"Penelope," Loanda, March* 23, 1853.

I TRANSMIT herewith, to be laid before the Lords Commissioners of the Admiralty, a copy of a letter from Commander A. H. Gardner, of Her Majesty's sloop "Waterwitch," reporting his having captured, on the 16th December last, a brigantine of about 160 tons, without colours or papers, and completely equipped for the Slave Trade.

I have, &c.
(Signed) H. W. BRUCE.

Inclosure 1 in No. 112.

Commander Gardner to Rear-Admiral Bruce.

H.M.'s Sloop "Waterwitch," off Quicombo, N. of Benguella, December 17, 1852.

Sir,

I HAVE the honour to inform you that on the 16th instant, Quicombo, bearing east-south-east, I captured, after a four hours' chase by this brig and her boats, a brigantine about 160 tons, under no colours, and name unknown, completely fitted and ready to take in a cargo of 500 slaves. At the time of the capture she had a crew on board of 21 persons, and they state that 5 days previous, the captain and 4 men landed in the boat at a spot 200 miles to windward (to the southward) with 20,000 dollars in gold, to purchase the slaves, and that the brigantine had been swept down by the current, which has been running very strong lately to the northward.

Having thoroughly searched her and found no papers whatever, and there being no sufficient evidence of her nationality, I am about to send her under Mr. Johnstone, the 2nd Lieutenant, to St. Helena, as a vessel not entitled to the protection of any flag or nation. The crew state that the brigantine sailed out of a port of Cuba four months ago; that she was the only vessel that got clear out of five, the rest being taken by the Spanish cruizers, and that the latter are taking so decided a part that it is now more difficult to get away from the island than to ship on the coast. I have left the cook and a seaman on board the prize. Of the 19 that I took out 2 were very ill, and 1 died this morning on board the "Waterwitch."

I have, &c.
(Signed) A. H. GARDNER.

No. 113.

Rear-Admiral Bruce to the Secretary to the Admiralty.—(*Received May* 30.)

(Extract.) "*Penelope*," *Loanda, March* 29, 1853.

ADVERTING to my despatch of the 16th December last, and to former correspondence on the subject, it is my pleasing duty to acquaint you, for the information of the Lords Commissioners of the Admiralty, that Commander Wilmot, of Her Majesty's ship "Harlequin," has negotiated treaties for the complete suppression of the Slave Trade at Zanga Tanga, Cape Lopez, and Cabenda, three of the most notorious slave stations on the south-west coast of Africa; copies of his Reports and duplicates of the Treaties in question are inclosed herewith.

Inclosure 1 in No. 113.

Commander A. E. Wilmot to Rear-Admiral Bruce.

(Extract.) *H.M.'s Ship* "*Harlequin*," *Ambriz, February* 15, 1853.

I HAVE the honour to inclose duplicates of treaties concluded on 2nd instant, between myself and Commander Coote, on the part of Her Majesty's Government, and the King and chiefs of Zanga Tanga and Cape Lopez.

His Majesty is most favourably disposed towards our country, and is very anxious for Englishmen to establish factories and vessels to commence trade as soon as possible in his territories.

This King seems to be all-powerful, and his rule extends from Cape Lopez, including the river Nazareth, Zanga Tanga, and extending to a considerable distance to the north-eastward of the latter place; I should say almost as far as the Gaboon.

The country is beautiful and contains a rich variety of hill and dale, the soil is exceedingly fertile, and at this season of the year is completely covered with a most luxuriant grass; cassada and Indian corn seem to be the only necessaries of life that at present are cultivated; but anything might be produced by a little trouble, and not much expense.

The King says that he has ivory, gum, bees-wax, India-rubber, ebony, tortoise-shell, camwood, copper, &c., in abundance. There are two small rivers with excellent water running through the country and emptying themselves into the sea here, rising doubtless in the highlands above.

The anchorage is safe and good in 3 fathoms and upwards, the only drawback being its distance from the beach, which is $3\frac{1}{2}$ miles, but the natives say there is plenty of water further in.

The surveys of this part of the coast require to be again examined, as indeed does all the line of coast on this station, more particularly the Congo river and its northern shore.

The soundings on the Mona Mazea bank have much changed since the last survey, and banks have been formed inside the river, which would often place a stranger upon this coast in a critical situation.

I beg to congratulate you upon the conclusion of this Treaty, the first upon the south coast, and cannot but think it will induce other Chiefs to follow in the footsteps of the King of Zanga Tanga, if our Government will not decrease the means at our disposal for preventing the Slave Trade upon this station.

Inclosure 2 in No. 113.

Engagement with the King and Chiefs of Zanga Tanga.

Engagement between Her Majesty the Queen of England and the King and Chiefs of Zanga Tanga and Cape Lopez for the abolition of the Traffic in Slaves, signed at Zanga Tanga this 2nd day of February, 1853.

ARTHUR PARRY EARDLEY WILMOT, Esquire, Commander of Her Majesty's ship "Harlequin," on the part of Her Majesty the Queen of England, and the King and Chiefs of Cape Lopez and Zanga Tanga and of the neighbourhood, on the part of themselves and of their country, have agreed upon the following Articles and Conditions:

ARTICLE I.

The export of slaves to foreign countries is for ever abolished in the territories of the King and Chiefs of Zanga Tanga and Cape Lopez, and the King and Chiefs of Zanga Tanga and Cape Lopez engage to make and to proclaim a law prohibiting any of their subjects or any person within their jurisdiction from selling or assisting in the sale of any slave for transportation to a foreign country; and the King and Chiefs of Zanga Tanga and Cape Lopez promise to inflict a severe punishment on any person who shall break this law.

ARTICLE II.

No European, or other person whatever, shall be permitted to reside within the territory of the King and Chiefs of Zanga Tanga and Cape Lopez, for the person of carrying on in any way the Traffic in Slaves; and no houses, or stores, or buildings of any kind whatever, shall be erected for the purpose of Slave Trade within the territory of the Kings and Chiefs of Zanga Tanga and Cape Lopez; and if any of such houses, stores, or buildings, shall at any future time be erected, and the King and Chiefs of Zanga Tanga and Cape Lopez shall fail or be unable to destroy them, they may be destroyed by any British officers employed for the suppression of Slave Trade.

ARTICLE III.

If at any time it shall appear that Slave Trade has been carried on through or from the territory of the King and Chiefs of Zanga Tanga and Cape Lopez, the Slave Trade may be put down by Great Britain by force upon that territory, and British officers may seize the boats of Zanga Tanga and Cape Lopez found anywhere carrying on the Slave Trade; and the King and Chiefs of Zanga Tanga and Cape Lopez will be subject to a severe act of displeasure on the part of the Queen of England.

ARTICLE IV.

The slaves now held for exportation shall be delivered up to any British officer, for the purpose of being carried to a British colony, and there liberated; and all the implements of Slave Trade, and the barracoons or buildings exclusively used in Slave Trade, shall be forthwith destroyed.

ARTICLE V.

Europeans, or other persons now engaged in the Slave Trade, are to be expelled the country; the houses, stores, or buildings hitherto employed as slave factories, if not converted to lawful purposes within three months of the conclusion of the Engagement, are to be destroyed.

ARTICLE VI.

The subjects of the Queen of England may always trade freely with the people of Zanga Tanga and Cape Lopez in every article they may wish to buy and sell in all the places, and ports, and rivers within the territories of the King and Chiefs of Zanga Tanga and Cape Lopez, and throughout the whole of their dominions; and the King and Chiefs of Zanga Tanga and Cape Lopez pledge themselves to show no favour, and give no privilege to the ships and traders of other countries, which they do not show to those of England.

ARTICLE VII.

Power is hereby expressly reserved to the Government of France to become a party to this Treaty, if it should think fit, agreeably to the provisions of Article V of the Convention between Her Majesty and the King of the French, for the suppression in the Traffic in Slaves, signed at London on the 29th of May, 1845.

ARTICLE VIII.

The King and Chiefs of Zanga Tanga and Cape Lopez declare that no human beings shall at any time be sacrificed within their terrritories on account of religious or other ceremonies, and that they will prevent the barbarous practice of murdering prisoners captured in war.

ARTICLE IX.

Complete protection shall be afforded to Missionaries or Ministers of the Gospel of whatever nation or country, following their vocation of spreading the knowledge and doctrines of Christianity, and extending the benefits of civilization within the territory of the King and Chiefs of Zanga Tanga and Cape Lopez. Encouragement shall be given to such missionaries or ministers in the pursuits of industry, in building houses for their residence, and schools, and chapels. They shall not be hindered or molested in their endeavours to teach the doctrines of Christianity to all persons willing and desirous to be taught; nor shall any subjects of the King and Chiefs of Zanga Tanga and Cape Lopez, who may embrace the Christian faith, be on that account, or on account of the teaching or exercise thereof, molested or troubled in any manner whatsoever. The King and Chiefs of Zanga Tanga and Cape Lopez further agree to set apart a piece of land, within a convenient distance of the principal towns, to be used as a burial ground for Christian persons. And the funerals and sepulchres of the dead shall not be disturbed in any way or upon any account.

In faith of which we have hereunto set our hands and seals at Zanga Tanga, on board Her Britannic Majesty's ship "Harlequin," this 2nd February, 1853.

his
BANGO PAISSOL ⋈, *King of Zanga Tanga and Cape Lopez.*
mark.

his
FELHAS ROBARQUE ⋈, *Chief of Zanga Tanga and Cape Lopez.*
mark.

his
FERNANDO BAUGO ⋈, *Chief of Zanga Tanga and Cape Lopez.*
mark.

his
NELSON RENGOMBI ⋈, *Chief of Zanga Tanga and Cape Lopez.*
mark.

ARTHUR E. WILMOT, *Commander of Her Britannic Majesty's ship "Harlequin," and Senior Officer of the Southern Division.*
R. COOTE, *Commander of Her Britannic Majesty's steam-vessel "Volcano."*
J. M. REEVE, *Lieutenant of Her Britannic Majesty's steam-vessel "Volcano."*
H. HUTCHINGS, *Master of Her Britannic Majesty's steam-vessel "Volcano."*

Witnesses:
J. M. WICKER, *Clerk of Her Britannic Majesty's sloop "Harlequin."*
ARTHUR ONSLOW, *Midshipman of Her Britannic Mojesty's steam-vessel "Volcano."*
JOHN READ, *Master's Assistant of Her Britannic Majesty's steam-vessel "Volcano."*
VICENTE ANTONIO, *Interpreter (Portuguese) from Bengo River.*

Inclosure 3 in No. 113.

Commander A. E. Wilmot to Rear-Admiral Bruce.

(Extract.) *H.M.'s Ship "Harlequin," off Ambriz, February* 25, 1853.

I HAVE the honour to inclose duplicates of Treaties, signed by myself and Commander Coote on the part of Great Britain, and by the King of Cabenda, on the 11th instant. This desirable object was obtained upon our third interview, His Majesty expressing a determination to sign, even if his Chiefs should declare themselves against it.

At this last "palaver," the King was attended by Francisco Franco, Chica Franca, and his brother, a mafuca of some importance, as well as by Mannella Juna, a chief who resides at Cabenda, of the same rank as Chica Franco, the only one of these against the Treaty was the native Chief, Francisco Franco's brother, who was very noisy, and seemed to effect more by his uproar than by his argument. I am well acquainted with all these people.

Chica Franca said he was willing to sign the treaty if the King did, as did Mannella Juna, who is of the next importance to him.

As this was probably the last time that I should think it necessary, or even advisable, to confer with them upon this important subject, I did not hesitate in speaking out, and telling them what had been made known to the Chiefs at Ambriz upon a former occasion. That Great Britain was a powerful country, and determined to stop the Slave Trade; that many powerful Kings and Chiefs to the north had found it convenient, as well as to their interests, to accept the Treaties offered by us; but that one King (Lagos) had opposed us in every way until it became necessary to employ force to bring him to reason. I said that England would rather conquer by arguments of love and friendship than by the arguments that force would inevitably bring against them. I warned them against being led away by evil counsellors who would not and could not help them in the hour of need. I mentioned the power we possessed upon the coast, and how easy it would be to stop their resources; on the contrary, I dwelt upon the advantages which a friendly alliance with Great Britain would procure for them. I am particular in enumerating these words, because the Portuguese Government of this country are exceedingly jealous and angry at our proceedings. They have spread the most ridiculous stories about what we have accomplished, and say that I threatened to burn Cabenda should the King refuse to sign. Such a statement requires no refutation from me, the arguments I used being the same that were brought before the notice of the other Kings and Chiefs of this country. The King himself was so anxious that all should be properly settled at this interview, that he signed with his own hand for the Chiefs whose names appear under his own.

I visited the King of Loango a second time at his town on the 28th January, according to my promise, and urged him to sign the treaty with England. The same arguments were used as upon my first visit, but His Majesty declined to put his hand to paper, and replied, that if ships came to buy ivory, wax, &c., they would have it, and if they came for slaves they should have them also.

There were many among the mafucas who evidently were in our favour, but as the King is not firmly seated upon his throne, and daily expects an attack from the old King's party, I think it very probable that his uncertainty as regards his permanently holding the chief power may have operated against it at this time.

Perhaps when he becomes aware that Cabenda, Zanga Tanga, and Cape Lopez have accepted the Treaties, he may alter his determination, and follow this good example.

I left with him copies of the Treaty, and my letter to the Kings and Chiefs of Africa in Portuguese, that he might at his leisure make himself acquainted with the real object of our visit.

The Portuguese Government of Angola have forwarded to the Minister at Lisbon an account of our proceedings on this coast, having detained a vessel about to sail for the Tagus for that purpose. It is probable, therefore, that the signing of these Treaties may be known in London before this despatch reaches you.

I mention this that you may not be surprised at the exaggerations of interested parties here.

Inclosure 4 in 113.

Engagement with the King and Chiefs of Cabenda.

Engagement between Her Majesty the Queen of England and the King and Chiefs of Cabenda for the abolition of the Traffic in Slaves. Signed at Cabenda, on board Her Britannic Majesty's ship "Harlequin," the 11th day of February, 1853.

ARTHUR PARRY EARDLEY WILMOT, ESQ., Commander of Her Majesty's ship "Harlequin," on the part of Her Majesty the Queen of England, and the King and Chiefs of Cabenda and of the neighbourhood, on the part of themselves and of their country, have agreed upon the following Articles and Conditions:—

ARTICLE I.

The export of slaves to foreign countries is for ever abolished in the territories of the King and Chiefs of Cabenda, and the King and Chiefs of Cabenda engage to make and to proclaim a law prohibiting any of their subjects, or any person within their jurisdiction, from selling or assisting in the sale of any slave for transportation to a foreign country; and the King and Chiefs of Cabenda promise to inflict a severe punishment on any person who shall break this law.

ARTICLE II.

No European, or other person whatever, shall be permitted to reside within the territory of the King and chiefs of Cabenda for the purpose of carrying on in any way the Traffic in Slaves; and no houses, or stores, or buildings of any kind whatever, shall be erected for the purpose of Slave Trade within the territory of the King and Chiefs of Cabenda, and if any such houses, stores, or buildings, shall at any future time be erected, and the King and Chiefs of Cabenda shall fail or be unable to destroy them, they may be destroyed by any British officers employed for the suppression of the Slave Trade.

ARTICLE III.

If at any time it shall appear that Slave Trade has been carried on through or from the territory of the King and Chiefs of Cabenda, the Slave Trade may be put down by Great Britain by force upon that territory, and British officers may seize the boats of Cabenda found anywhere carrying on the Slave Trade; and the King and Chiefs of Cabenda will be subject to a severe act of displeasure on the part of the Queen of England.

ARTICLE IV.

The slaves now held for exportation shall be delivered up to any British officer duly authorized to receive them, for the purpose of being carried to a British colony, and there liberated; and all the implements of Slave Trade, and the barracoons or buildings exclusively used in Slave Trade, shall be forthwith destroyed.

ARTICLE V.

Europeans, or other persons now engaged in the Slave Trade, are to be expelled the country; the houses, stores, or buildings hitherto employed as slave factories, if not converted to lawful purposes within three months of the conclusion of the engagement, are to be destroyed.

ARTICLE VI.

The subjects of the Queen of England may always trade freely with the people of Cabenda in every article they may wish to buy and sell in all the places and ports and rivers within the territories of the King and Chiefs of Cabenda, and throughout the whole of their dominions; and the King and Chiefs of Cabenda pledge themselves to show no favour, and give no privilege to the ships and traders of other countries, which they do not show to those of England.

ARTICLE VII.

Power is hereby expressly reserved to the Government of France to become a party to this Treaty, if it should think fit, agreeably to the provisions of Article V of the Convention between Her Majesty and the King of the French, for the suppression of the Traffic in Slaves, signed at London on the 29th of May, 1845.

ARTICLE VIII.

The King and Chiefs of Cabenda declare that no human beings shall at any time be sacrificed within their territories on account of religious or other ceremonies, and that they will prevent the barbarous practice of murdering prisoners captured in war.

ARTICLE IX.

Complete protection shall be afforded to missionaries or ministers of the Gospel, of whatever nation or country, following their vocation of spreading the knowledge and doctrines of Christianity and extending the benefits of civilization within the territory of the King and Chiefs of Cabenda.

Encouragement shall be given to such missionaries or ministers in the pursuit of industry, in building houses for their residence, and schools and chapels. They shall not be hindered or molested in their endeavours to teach the doctrines of Christianity to all persons willing and desirous to be taught, nor shall any of the subjects of the King and Chiefs of Cabenda, who may embrace the Christian faith, be on that account, or on account of the teaching or exercise thereof, molested or troubled in any measure whatsoever.

The King and Chiefs of Cabenda further agree to set apart a piece of land within a convenient

distance of the principal towns, to be used as a burial-ground for Christian persons. And the funeral and sepulchres of the dead shall not be disturbed in any way or upon any account.

In faith of which we have hereunto set our hands and seals at Cabenda, this 11th day of February, 1853.

(Signed) MEMBUCO MALUEMBA his mark, *King of Cabenda.*

Signed by the King himself, for

FRANCISCO FRANCO his mark, *Chief of Cabenda.*

Signed by the King himself, for

MUNGOVO MANUELLA his mark, *Chief of Cabenda.*

(Signed) ARTHUR P. EARDLEY WILMOT, *Commander, Her Britannic Majesty's ship "Harlequin," and Senior Officer, South Division.*

R. COOTE, *Commander, Her Britannic Majesty's steam-vessel "Volcano."*

Witnesses:

J. M. WICKER, *Clerk, Her Britannic Majesty's ship "Harlequin."*

VICENTE ANTONIO, *Interpreter (Portuguese), from Pongo River.*

No. 114.

Rear-Admiral Bruce to the Secretary to the Admiralty.—(*Received May* 30.)

Sir, *"Penelope," Loanda, April* 1, 1853.

PERHAPS the greatest difficulty our officers in Africa have had to contend against in preventing the shipment of slaves, has been occasioned by American masters and supercargoes selling or transferring their vessels to slave-dealers residing on the coast. This practice, I regret to say, is now being renewed, and the baneful effect of it is shown by the escape of the brig "*Silenus*" from Ambriz, in February last, with 600 slaves on board.

2. The "*Silenus*" arrived on the coast about the 2nd of January from New York, and was immediately denounced by Commander Wilmot, of Her Majesty's ship "Harlequin," to Commander Manning, of the United States' brig "Bainbridge," as a suspicious vessel; the latter officer, I believe, took every means in his power to ascertain her character, but the fact is, that until a day or two before they receive the slaves, these vessels are not fitted in a manner that would in a legal point of view justify their detention.

3. The schooner "*General Kalb*," is also a vessel denounced by Commander Wilmot, and, as will be seen by the accompanying letter, her master does not deny that he has already sold her, and that she is intended for the Slave Trade.

4. The American brigantine "*Monte Cristo*," from New York, belonging to Kingston, Power master, La Salla owner, was boarded by Her Majesty's ship "Crane," on the 12th of February; she had on board three Spaniards as passengers, who were landed at Loango to establish a factory, it is said, together with 97 large casks in shakes, gunpowder, 40 pipes of aguardiente, a quantity of bale goods, and large crates; and took in sand-ballast, intending to sail for Rio de Janeiro. She was watched until the 6th of March, and only left by the "Crane" when 300 miles off the land on her way to Rio. It is not improbable that she will return to the coast, become the property of the Spaniards, ship her water-casks under the protection of the American flag, and afterwards take on board slaves; the sand-ballast answering all the purposes of a slave deck.

5. I deem it right to acquaint you with these particulars, in order that you may bring them under the notice of the Lords Commisioners of the Admiralty, with a view to some effectual remedy being applied to an evil, which, if permitted to continue, will completely nullify all our efforts in the suppression of the Slave Trade in this part of the world. I am aware, that to the Government of the United States, this question is beset with many impediments, still, however determined that Government may be to preserve its mercantile marine from foreign interference, I think it might be induced, without prejudice to the general principle for which it contends, to make an exception on the

coast of Africa, where its flag is in so many instances desecrated, and used for the worst of purposes.

But if the privilege of inspecting American vessels is not to be conceded to us, even in those waters, it certainly behoves the Government of the United States to take measures to prevent those vessels from being employed in the Slave Trade; to this end I would suggest, 1st, the utmost care and caution on the part of the United States' agents in Europe and America, in ascertaining the character of their vessels sailing for the coast of Africa; 2nd, an increased force of small vessels belonging to the United States, to be employed cruizing on the coast (at present there is only one brig between Cape Lopez and the southern limit of the station), 3rd, regulations compelling parties selling or transferring vessels on the coast of Africa to communicate the particulars to their respective Governments.

I have, &c.
(Signed) H. W. BRUCE.

Inclosure in No. 114.

Commander A. E. Wilmot to Commander Manning, of the United States' brig "Bainbridge."

H.B.M.'s Sloop "Harlequin,"
St. Paul de Loanda, January 7, 1853.

Sir,

I HAVE the honour to bring before your notice the proceedings of the two vessels named in the margin, at present sailing under the flag of the United States, and claiming the protection of that country, and I beg to call your attention to the very suspicious character of these vessels, more especially the former, which I cannot help thinking might be discovered to be an illegal trader, by an American ship of war, and detained as being engaged in the unlawful traffic of the Slave Trade. Our great principle being the prevention of the Slave Trade, and not the capture of vessels after they have shipped their living cargoes, although this is a most desirable object, I cannot help feeling that both you and myself are actuated by only one great motive in the execution of the service upon which we are employed, and that if the subjects of America and England are suffered with impunity to lend their efforts indirectly in defeating the object which our respective Governments have in view, that Africa will long remain in its present degraded state, and all the efforts of civilization will be in vain.

The "*General Kalb*" arrived upon the coast at the latter end of October last, and an extract from the boarding-book of that date states that this vessel arrived on the 31st October, was boarded by the "Harlequin" off Cabenda, her name the "*General Kalb*," the master's name C. Kehrmann, the owner L. Kraft; that she is a fore-and-aft schooner (pilot-boat) under American colours from Baltimore, bound to Cabenda, belonging to New Orleans, 62 days out, with 9 men, and that she is 82 tons burden, her cargo, lumber, and provisions.

The captain of her further states that he has sold the vessel, and makes no secret that she is intended for the Slave Trade.

It is not likely that a "legal trader would come to this coast upon an empty speculation, or that her cargo would merely consist of a quantity of provisions, and planks sufficient to make a slave deck. Timber is an article that neither the European nor native merchants require. Africa produces this in abundance, nor is it likely that a regular trader would bring out such a small quantity of provisions for sale, it would be like carrying coals to Newcastle.

Since being boarded by the "Harlequin" in November last, the "*General Kalb*" has been up the Congo River, and she was discovered by Commander Coote, of Her Majesty's ship "Volcano," fast to the Portuguese factory pier at Punta de Linha, 40 miles up. The captain, mate, and crew were laid up with the fever. I must here state that the captain is a Bremener by birth, and has served in British ships of war, and that the mate was in the "Wilberforce" (steamer) with the Niger Expedition.

On the 29th December last she came down the river, and was again boarded by the "Volcano;" the captain's statement being that he was bound to Ambriz, to complete the sale of his vessel.

It is very evident from the above circumstances that the vessel in question is here for unlawful purposes. First at Cabenda, then in the Congo, then at Ambriz, all for the same object. If he were a regular trader, it is only natural to suppose that he would have one fixed object in view, and he would either be consigned to a house of agency on this coast, or remain at a place where he would be most likely to purchase such a cargo as he required.

That he will sell his vessel, and that slaves will be shipped on board whenever there is a favourable opportunity, I am confident of, unless the American flag can be proved to be unlawfully used by him as a cloak to his villanous intentions.

The "*Silenus*" brig was upon this coast last year for the purpose of being sold, and carrying slaves away. This was perfectly well known to all our cruizers, and hence a vigilant watch was kept on her proceedings. Money was on board her for that purpose. The "Harlequin" was in company with her several times, and after remaining here some months, trying every expedient to effect her object, which was only thwarted by the anxious care of our vessels, she finally gave up the business, and sailed for America, after being chased off the Ambriz part of the station by the "Harlequin."

There is a report, which I believe to be quite true, that the supercargo committed great atrocities

before he finally left the coast; I will not enter into them now. They are doubtless well known at Ambriz, and amongst those who are connected with the Slave Trade.

On the 2nd January, this year, the "*Silenus*" is again at Ambriz, having changed hands entirely, with a new captain, and a fresh crew, laden with a general cargo, consigned* to no one out here, but on the captain's own hands.

Now I do not mention these circumstances as creating suspicions of her legality or not, but only to call your attention to the fact that this vessel, bearing such a bad name as she has done ever since her arrival upon this coast, has again made her appearance, after so soon leaving it a few months ago.

The mate reports that she has a general cargo (the captain being on shore at the time), but she appears very light, and I cannot help thinking that when boarded and examined by an officer of the United States' navy she will be found to be anything but what is stated, and that her cargo most probably consists of articles that a slave-dealer would be most anxious for, in exchange for the slaves that he is to give in return.

I trust, Sir, that you will receive this communication in the same friendly spirit with which it is written, and that you will readily believe that I have only one object in asking for your co-operation in examining these two vessels. If you should concur in the same opinion as myself, I shall feel very thankful, and I sincerely hope it will not put you to any inconvenience, nor keep you longer here than can possibly be avoided.

I have, &c.
(Signed) ARTHUR P. E. WILMOT.

No. 115.

Rear-Admiral Bruce to the Secretary to the Admiralty.—(Received May 30.)

Sir, *"Penelope," Loanda, April 1, 1853.*

IT is reported that when the "*Silenus*" shipped 600 slaves at Ambriz, in February last, a launch belonging to Mr. Felix Walker, a British subject, residing there as agent for Messrs. Hatton and Cookson, of Liverpool, was one of the boats employed on the occasion; it is probable that she was used without his express consent, but there can be no doubt that it was incumbent upon him to remonstrate with the Chiefs of the country on the subject, and to make the circumstances known to the commander of any of Her Majesty's ships calling there, failing in these particulars, he appears to me to have acted in contravention of the Statute 6 & 7 Vict., cap. 98. And I have to request that you will move the Lords Commissioners of the Admiralty to instruct me as to what steps they would wish me to take, should a similar case occur at any future time.

I subjoin a copy of a letter from Commander Wilmot, of Her Majesty's ship "Harlequin," to Mr. Walker, in reference to the matter above-mentioned.

I have, &c.
(Signed) H. W. BRUCE.

Inclosure in No. 115.

Commander A. E. Wilmot to Mr. Felix Walker.

Sir, *H.M.'s Sloop "Harlequin," off Ambriz, February 22, 1853.*

AS the senior officer in command of Her Majesty's squadron upon this coast, I feel myself called upon to impress upon your most serious attention, matters of the utmost consequence to yourself as well as to every subject of Great Britain, carrying on legitimate trade in this country. You are aware that the Slave Trade has been denounced by all th civilized world, as repugnant to every principle of justice and humanity, and that Great Britain in particular has exerted herself beyond every other nation for the suppression of the Slave Trade.

In the instructions that are given for the guidance of Naval Officers for the suppression of the Slave Trade, particularly the Statutes by which we are to be governed in respect to Slave Trade carried on by British vessels and British subjects, are the following:

The master, supercargo, and crew of a British slave vessel are criminals by the law of Great Britain, and you will be responsible for their safe custody. It will be your duty to take the proper measures for delivering the whole of them over to the civil power, taking care to furnish witnesses necessary to prove the facts.

I have to refer you also to the Act 5 George IV, cap. 113, and the Act of 6 and 7 Victoria, cap. 98, which I send for your perusal, in which you will perceive the penalties attached, not only to British subjects actually engaged in the buying and selling of slaves

* Since discovered that the "*Silenus*" was consigned to Senhor Flores, a Brazilian trader, residing at St. Paul de Loanda.—A. E. W.

whether on shore or upon the high seas, but also to those subjects of Great Britain who aid and abet the same.

These Statutes apply to acts done by British subjects everywhere, and to British Naval Officers is given the power of seizing the goods and chattels as well as the persons of every Englishman that in any way is a party to the violation of those laws by which our country should be governed.

I have requested your attention to these important facts that you yourself may feel how difficult a matter it is for an Englishman, be he a trader in legitimate commerce, or be he a party actually concerned, to be a silent spectator of passing events, without being mixed up in some way or another with the traffic in question, unless he boldly, and as a matter of principle, takes his stand as a decided oppositionist, trusting to the power of Great Britain to uphold and protect him for so doing.

Her Majesty's cruizers are here for the purpose of preventing the Slave Trade, as well as of affording protection to British subjects, British property, and British interests. All legal traders can and ought to look with the most perfect confidence towards the British flag that is almost in daily sight from their doors. We are here for this purpose, and are bound to assist our countrymen by every means in our power; but then we must first be assured that this assistance is required by Englishmen, that is to say, by subjects of Great Britain, that can in consequence, as well as by law, claim her protection, having their hands perfectly clean in the matter of the Slave Trade.

Having thus pointed out to you the duty of Her Majesty's cruizers, I will now come to the point upon which I most desire to address you. This is of such importance, that I do most sincerely trust that you will see the necessity of at once adopting a decided line of conduct, and for the future plant your feet at Ambriz as an Englishman in every sense of the word, trusting to us to uphold you there should circumstances ever occur to make such a step necessary.

The points upon which depends the nationality that Englishmen can claim on this coast are comprised in the following line of conduct, which I solemnly believe to be your bounden duty :—

To discountenance the Slave Trade by every means in your power.

Not to be a silent spectator of events passing around you.

To prohibit your property being used in the furtherance of the Slave Trade (it is notorious that your launch has been frequently used for this purpose). If forcibly taken, to protest against such a proceeding, and make a complaint to the British cruizer off your factory.

To claim redress for grievances inflicted upon you for opposing the Slave Trade.

You must remember the saying of one whose authority is beyond all dispute: "He that is not with me is against me."

If you remain silent and allow your boats and property to be used for the purpose of effecting the shipment of slaves without remonstrating and appealing to the British cruizer for protection, you become an acquiescing party in league, as it were, with the slave-dealers themselves, and are liable to the pains and penalties attached to British subjects engaged in this unlawful traffic, which is death, without the smallest right of claiming our protection as an Englishman, because you have placed yourself beyond the pale of the laws of your country.

An Englishman cannot be a passive spectator of the Slave Trade ; if he is, he becomes a slave-dealer himself.

The plea of being afraid of the natives or the Portuguese cannot hold good, as several of our ships-of-war are here for the very purpose of protecting you. To say that your life would be in danger and your trade stopped, if you conscientiously performed your duty and obeyed the laws of your country, will not be believed ; an Englishman, so long as he does not transgress the rules of society and the laws of this country, is certain of protection.

The British Government will not for one moment listen to the arguments you may use in favour of your peculiar position, because it does not recognise the right of any subject of that country to indirectly support that traffic, to suppress which so much treasure has been exhausted and so much blood been shed.

Your duty then is plain, although your policy may be opposed to it.

In conclusion, I must in plain language tell you what my duty henceforward will be.

Should it again occur that slaves are shipped from Ambriz in the boats of any British subjects, and that your property is used under any circumstances, whether willingly or not, in the furtherance of this traffic, and no complaint is made to the commander of the English cruizer off that place, that I shall have no alternative (taking all responsibility upon myself, however much I may regret such a step—and that I shall regret it you may be assured of) but to take possession of the British factory, and send the British agents under confinement to England by the first opportunity.

I have to request you will make this communication known as opportunity offers, to all British agents upon the coast.

I have, &c.

(Signed) A. P. E. WILMOT.

No. 116.

Rear-Admiral Bruce to the Secretary to the Admiralty.—(Received May 30.)

Sir, *"Penelope," off Loanda, April 2, 1853.*

OUR negotiations with the native Chiefs at Ambriz and Cabenda, for the purpose of obtaining treaties for the suppresion of the Slave Trade, have given rise to a correspondence (copies of which are inclosed) between Commander Wilmot, of Her Majesty's ship "Harlequin," and the Governor-General

of Angola; the latter of whom lays claim to exclusive jurisdiction over the territories referred to as dependencies of the Crown of Portugal.

I request that you will bring these papers under the notice of the Lords of the Admiralty, and move their Lordships to instruct me as to whether I am to acknowledge Her Most Faithful Majesty's right of sovereignty over any part of the south-west coast of Africa, situated north of the 8° of south latitude. In my opinion it would be ill-advised to do so, because the Portuguese Government can exercise no authority whatever in the disputed territories; they are not in fact in a position to occupy them by forcible means, and the natives are not likely to relinquish them quietly.

I beg to assure you that it is more from the respect I entertain for the character of the present Governor-General in Angola, Captain Antonio Ricardo Graça, with whom I made it a point to have a personal interview explanatory of our views, as being entirely directed to the suppression of Negro Traffic, than from any doubt as to the invalidity of the claim he has set up, that I am induced to submit this question for their Lordships' consideration.

I have, &c.

(Signed) H. W. BRUCE.

Inclosure 1 in No. 116.

The Governor-General of Angola to Commander A. E. Wilmot.

(Translation.)

Most Illustrious Sir, *Palace of Government, Loanda, February* 10, 1853.

IT is my duty to address myself to you for the purpose of making known to you that I was surprised on its becoming known to me, though a communication received from Cabenda, that you were trying to conclude with the Chiefs of that place conventions for the suppression of the traffic in slaves, and other different subjects of interest to that country, the dominion of which is reserved to the Portuguese Crown, as is seen by the Treaties concluded between Great Britain and Portugal, on 22nd January, 1815, and 28th July, 1817, and which form an integral part of her territory, as declared in the fundamental law of the State.

I ask you, therefore, to be pleased to acquaint me with what has taken place with regard to this subject, seeing that no communication has been received by this General Government from the Gvernment of Her Most Faithful Majesty upon a matter of such great importance.

God preserve, &c.

(Signed) ANTONIO SERGIO DE SOUZA,
Governor-General.

Inclosure 2 in No. 116.

Commander A. E. Wilmot to the Governor-General of Angola.

H.M.'s Brig "Harlequin,"

Sir, *St. Paul de Loanda, February* 17, 1853.

I HAVE the honour to acknowledge the receipt of your Excellency's letter of 10th instant, received by the "Conde de Tojal," off Ambrizette, on the 13th instant. In reply to the subject of your Excellency's communication, I have simply to state, that in entering into negotiations with the independent Kings and Chiefs of this country with a view of bringing them to sign Treaties with Great Britain for the total abolition of the Slave Trade, as well as for other purposes of commerce and civilization, I have acted only in accordance with instructions received from the British Commander-in-Chief upon this station.

Your Excellency did not question our right to enter into negotiations with the King and Chiefs of Ambriz in September last, neither did I hear from you upon my first visit to Cabenda and Loango. You must have been aware that Great Britain has long determined to put a stop to the traffic in slaves in this country by every means in her power, and that Treaties have been made with nearly all the Kings and Chiefs of Africa that acknowledge no sovereignty but their own.

The great object that England has in view by urging these Treaties upon their notice is to bring peace, happiness, and prosperity to this benighted land, which at present is groaning amid the darkness of heathenism; this can only be effected by the introduction of legitimate commerce, which will ultimately bring civilization in its train.

The Slave Trade is utterly opposed to the best feelings of our nature. If the claims of Portugal to any extent of country north of the 8th degree south latitude have been and are still recognised by the British Government and other European Powers, it seems astonishing that no means have as yet been taken in these countries by Portuguese authorities and Portuguese residents to bring them into that state of civilisation which cannot fail to be the safest barrier against the Slave Trade.

The Kings and Chiefs do not recognise the authority of Portugal.

The Government of Her Most Faithful Majesty, then, cannot but be pleased with the first success that has dawned upon our efforts.

Great Britain does not recognise the claims of Portugal to any extent of territory in this country, excepting that contained between the 8th and 18th degrees of south latitude; all Kings and Chiefs therefore that reside beyond these limits are free to act in any manner they shall think most conducive to the welfare and happiness of their kingdoms.

I beg, &c.

(Signed) A. E. WILMOT,
Commander and Senior Officer, South Division.

Inclosure 3 in No. 116.

The Governor-General of Angola ad interim *to Commander A. E. Wilmot.*

(Translation.)

Most Illustrious Sir, *Palace of Government, Loanda, March* 1, 1853.

IN communications which you are pleased to address to my predecessor under date 12th February last, you say that Treaties were concluded on the 2nd of that month with the King of Zanga Tanga and Cape Lopez, and also with the King of Cabenda at his residence.

The Government of Angola had received vague notices of the events mentioned, but could not believe them, and was in this state of uncertainty when it received from you their confirmation, which caused great surprise.

In another letter of yours under date 16th of the same month, you assert positively that Great Britain does not recognise the claims of Portugal over any part of this coast, excepting that which lies between the 8th and 18th degrees of south latitude.

You affirm that you had concluded treaties with the Kings and Chiefs of these countries, whom you describe as independent, in accordance with instructions received by you from the Commander-in-Chief of the British squadron.

These and other statements contained in your letters are in my humble opinion in complete contravention to the most solemn acts concluded between the Crowns of Great Britain and Portugal, inasmuch as the Additional Convention to the Treaty of 22nd January, 1815, between the two Crowns, Article II, Section 2, declares those territories on the coast of Africa south of the Equator, over which His Most Faithful Majesty declared his rights, namely, the territories of Molemba and Cabenda on the western coast of Africa, between 5° 12′ to 18° south latitude; these rights of His Most Faithful Majesty are recognised by Great Britain in the said Convention, ratified by another Additional Convention dated 28th July, 1817, and implicitly declared in the subsequent correspondence of the noble Lord Howard de Walden in a note of the 5th May, 1839, addressed to the Baron de Ribeiro Sabroza, and finally sanctioned in the Constitutional Charter of the Monarchy, in Article I, Section 2, and Article III; a Charter recognised by Great Britain and by all civilised nations.

In virtue, therefore, of such irrefragable Acts and documents concluded and ratified by Great Britain, a great nation influenced by the noblest motives and the purest faith, I am unable to convince myself that such Treaties can be made with validity without Her Britannic Majesty and Her Most Faithful Majesty previously agreeing thereto, which, notwithstanding I have given all consideration to the communication you have addressed to the Government of Angola on this subject, does not appear to me to have been done.

It behoves me as a faithful subject and respective of the rights of Her Most Faithful Majesty, with which I am at present charged to watch over in this Government, to protest, as by this I do protest, against such acts as destitute of the necessary solemnities to conclude which the Government of the province of Angola neither is nor can be authorised, inasmuch as the rights in question are reserved to the Portuguese Crown, and of which acts I am about to give an account to my Government.

In your same letter of the 16th, you say that it appears extraordinary that the Portuguese authorities have taken no measures with respect to these countries. Upon this remark I offer the following observations:—

Throughout the whole of Great Britain it is well known what have been the changes which have disturbed the Kingdom of Portugal; a state of affairs which does not permit the Government of either my country or any other to direct its attention and governative care to all parts of the monarchy which necessarily suffer from these causes. This is the reply which it behoves me to give you, thus answering your last letter of the 21st of last month, and the previous ones that you addressed to my predecessor.

God preserve, &c.

(Signed) ANTONIO RICARDO GRACA,
Governor-General ad interim.

Inclosure 4 in No. 116.

Commander A. E. Wilmot to the Governor-General of Angola.

Sir, *H.M.'s Sloop "Harelequin, St. Paul de Loanda, March* 24, 1853.

I HAVE the honour to acknowledge the receipt of your Excellency's letter of the 1st of this month, in which after expressing your opinion upon the present disputed territorial rights of Portugal to a great portion of this country not recognised by Great Britain, denying at the same time the right of Her Britannic Majesty's officers, although acting under specific instructions, to conclude Treaties with the Kings and Chiefs of the country, because you assume them to be subjects of the Crown of Portugal, as well as endeavouring to explain why Portugal has never taken measures with respect to

these countries, giving as your reason the constant disturbed state of your own country, you conclude by solemnly protesting against all the proceedings that have taken place consequent upon my negotiations with the independent Kings and Chiefs of this part of Africa, I will not at this moment trouble your Excellency with a lengthened reply to the arguments you have brought forward in support of this protest.

The reasons I could urge against the justice of the claims of Portugal to those parts of this coast, not recognised by Great Britain, are so many and so powerful, that I am certain your Excellency, laying aside the high official position you occupy, would consider them unanswerable.

I have already in my letter to the Governor-General of Angola, dated 17th February of this year, denied in the most positive manner the claims of Portugal to any extent of country upon this coast, north of 8th degree of south latitude, and that consequently every independent King and Chief residing beyond this limit is perfectly free to act in any manner he may consider most conducive to the welfare and happiness of this country.

Upon these conflicting claims the validity of your protest rests.

If the Governments of our respective countries consider the claims put forth by you as conclusive, I can have nothing further to say upon this subject. On the other hand, should it be determined that Portugal) cannot fairly establish her right to any further extension of country than that which I have already granted that Great Britain acknowledges, it is but reasonable to suppose that you also will bow to their decision.

I must be permitted, however, to make this one remark, which is, that the Slave Trade has been carried on with the greatest vigour at Ambriz for very many years past (a place claimed by you as under the jurisdiction of Portugal, and therefore most undoubtedly making that country responsible for this contraband Traffic, according to conventions established between Great Britain and Portugal, within sight of the Government of this province, without any steps having been taken by the authorities of this country to stop this inhuman traffic, although bound to do so by every conventional law.

I simply ask why has the Government of Angola permitted these enormities under its very eyes, without making an effort either directly or indirectly to prevent the same?

If you can justly claim Ambriz, the Congo, Cabenda, &c., Portugal and the Portuguese Government of this country is answerable for every slave that has been shipped from these places for the last twenty years.

I have, &c.

(Signed) ARTHUR P. E. WILMOT,
Commander and Senior Officer, South Division.

No. 117.

Rear-Admiral Bruce to the Secretary to the Admiralty.—(Received May 30.)

(Extract.) *Ascension, April 15, 1853.*

I REQUEST you will lay the accompanying correspondence before the Lords Commissioners of the Admiralty.

It appears that the King of Medina, from whom I rescued a number of Sierra Leone people in January and February last, as reported in my despatch of this year, harboured in his town two men who had ill-treated and held in slavery a British subject. Governor Kennedy very properly demanded the surrender of these offenders, and on the Chief refusing to give them up, he applied for assistance from Commander Need, of Her Majesty's ship "Linnet," then in port; this officer with Lieutenant Rich, commanding Her Majesty's steam-vessel "Teazer" repaired at once to Medina, and succeeded fully in carrying out the Governor's wishes; the manner in which this service was conducted by them has elicited my entire approval.

Inclosure 1 in No. 117.

The Governor of Sierra Leone to Commander Need.

Sir, *Government House, Sierra Leone, March 9, 1853.*

A BRITISH subject named John Kalendar was, a few days since, when employed a short distance from the colony, seized and sold as a slave, and carried, with a rope round his neck, to Medina, the town of Kali Modoo; here he was seen by a native of this colony called Elliot, who immediately and properly demanded the liberation of Kalendar, which was refused by Kali Modoo.

Upon hearing of this outrage, I immediately despatched an officer of the Government, accompanied by an inspector of police, to demand the immediate release of Kalendar; these officers succeeded in releasing Kalendar, and brought him to Free Town. I am, however, indebted to others, rather than to Kali Modoo, for his release. Kalendar was sold to two Loo Loo men, named Idrissa and Yee Gan Sillimann, who conveyed him to Medina, having flogged and ill-treated him. The surrender of these two men was demanded from Kali Modoo without success; he was informed by the officers sent to him that he would be answerable for their delivery to this Government.

I have now the honour to request that you will send a fitting force to Medina, to demand the surrender of these two culprits; ample time having been already afforded to Kali Modoo. I would

accept of no excuse involving an hour's delay. If these men be not given up, you will require Kali Modoo to accompany you here to explain his conduct; and should he refuse to do so, you will inflict a fitting punishment for this outrage upon British subjects by burning his town.

This Chief, after repeated warnings, has persisted in encouraging man and child-stealing; and having, I fear, misconstrued the forbearance and moderation of the Government, I am left without another alternative than that of punishing him for conduct which, if persisted in, would place the freedom of natives of Sierra Leone at the mercy of ruffians strong and daring enough to seize them.

I have, &c.
(Signed) A. E. KENNEDY.

Inclosure 2 in No. 117.

Commander Need to the Governor of Sierra Leone.

Sir, *H.M.'s Sloop "Linnet," Sierra Leone, March* 11, 1853.

I HAVE the honour to inform you that Kali Modoo is on board the "Teazer." I arrived off Medina in that vessel, commanded by Lieutenant Rich, at 8 o'clock, landed with a strong party, and presented your letter to Kali Modoo, reading and explaining it carefully to him; after a brief interval he declined complying with your demand, but promised being at Sierra Leone on the morrow, but this promise was accompanied by an order to his followers to post themselves to the best advantage for resistance, and his manner was doubtful. At Lieutenant Rich's suggestion, the party were taken down to the boats, and the "Teazer" fired three or four shells over the place, and the pinnace of the "Linnet" two; the party then entered the town, and Kali Modoo was found submissive enough, but urged to be allowed to give his written promise to appear here to-morrow, as going then would appear to his people like being forced.

I am happy to say that no one was hurt by the shot, and without the alternative of burning the town, which would of necessity have entailed much injury on the innocent.

Kali Modoo has been properly humbled, and will, no doubt, in future, respect British power and British justice. I trust your wishes have been properly carried out, and

I have, &c.
(Signed) HENRY NEED.

Inclosure 3 in No. 117.

The Governor of Sierra Leone to Commander Need.

Sir, *Government House, Sierra Leone, March* 12, 1853.

I HAVE the honour to acknowledge the receipt of your report of the 11th instant, detailing your proceedings at Medina, in the Bullom Territory.

In doing so, I cannot refrain from expressing my thanks for the important service you have rendered to the Government of this colony, and I beg that you will accept and convey to Lieutenant Rich, commanding Her Majesty's steamer "Teazer," and the officers and men who accompanied you, my acknowledgments for the temperate, firm, and successful manner in which the object of the expedition has been attained.

I have, &c.
(Signed) A. E. KENNEDY.

No. 118.

Rear-Admiral Bruce to the Secretary to the Admiralty.—(Received May 30.)

Sir, *"Penelope," Ascension, April* 25, 1853.

I HAVE great satisfaction in informing you that the King of Dahomey on receiving the presents, directed his messenger to inform the British Admiral, which was done through the Avogar (Viceroy) at Whydah, that he would give up the practice of human sacrifices altogether, according to the recommendation of the English; and in confirmation of the good faith with which he did so, he caused my stick to be returned to me with his message.

I have, &c.
(Signed) H. W. BRUCE.

No. 119.

Commander Need to the Secretary to the Admiralty.—(Received June 3.)

Sir, *H.M. Sloop "Linnet," off Rio Ponga, May 3, 1853.*

I HAVE the honour to inform you of the capture of two vessels up the Rio Pongas, a large brigantine and a schooner, completely fitted for the Slave Trade, by the boats of Her Majesty's sloop under my command.

The brigantine without colours or papers, but said to be a Spanish vessel called the "*Bellina,*" and six people on board.

The schooner without colours or papers, name and nation unknown, and entirely deserted. I have this day sent them to Sierra Leone.

I have, &c.
(Signed) HENRY NEED.

No. 120.

Rear-Admiral Bruce to the Secretary to the Admiralty.—(Received June 29.)

Sir, *"Penelope," Loanda, March 26, 1853.*

IN the months of November and December last Her Majesty's steam-vessel "Myrmidon" being employed conveying Mr. Consul Beecroft on his official tour in the Bight of Biafra, I directed Lieutenant Jolliffe to collect all the information possible in respect to the extent and mode of conducting trade in the several rivers visited by merchant-vessels, and I have now to request that you will lay the inclosed copy of that officer's Report before the Lords Commissioners of the Admiralty.

The following abstract, taken from the Report in question, shows the importance of the trade, which is exclusively British, in that part of Africa to which it refers :—

Place.	No. of Ships.	Tonnage.	Value of Imports.	Value of Exports.
			£	£
River Benin	5	1,000	20,000	40,000
River Bento or St. John	3	900	25,000	50,000
River Bonny and New Calabar ..	24	13,000	84,000	300,000
River Old Calabar	9	7,200	80,000	190,000
River Cameroons	11	3,000	27,000	48,600
Total ..	52	25,100	236,000	628,600

Exclusive of several coasting vessels.

I have, &c.
(Signed) H. W. BRUCE.

Inclosure 1 in No. 120.

Lieutenant Jolliffe to Rear-Admiral Bruce.

Sir, *H.M.'s Steam Vessel, "Myrmidon," Fernando Po, December 27, 1853.*

I HAVE the honour to forward herewith separate Reports upon each river visited by Her Majesty's steam-vessel "Myrmidon," under my command, during the official tour of Mr. Consul Beecroft. These Reports were, in some instances, hastily drawn up, and based upon scanty information.

With respect to the value of exports, I would remark that the oil is estimated at the averag English market price: viz., 27*l.* per tun; the country price in "goods" is from 10*l.* to 12*l.*, and 10*l.* per tun is added by the shippers as the amount of "other expenses."

It appeared to me that the dispositions, habits, &c., of the natives are in a great measure regulated by those of the factors: trade being opened in a fresh river by a man of indifferent character, and dishonest disposition, brings into play all the natives' duplicity and want of faith, and years must elapse ere the impression made by one man can be eradicated; on the other hand, if a trader be honest and upright in his dealings, the natives slowly imbibe those principles. The correctness of these remarks can be traced in the quiet or disturbed state of the various rivers.

In conclusion, I trust that the inclosed Reports are such as will meet with your approbation.

I have, &c.

(Signed) W. KYNASTON JOLLIFFE.

Inclosure 2 in No. 120.

Report on the River Benin, by Lieutenant W. K. Jolliffe, Commander of Her Majesty's Steam "Myrmidon," 19th to 22nd November, 1852.

1. NAMES and nation of principal factors.—Mr. Cheetham and Mr. Henry; the former factor for Messrs. Horsfall, of Liverpool; the latter factor for the Messrs. Harrison, also of Liverpool.

2. Nature and probable value of imports.—Manchester goods: swivel-guns, powder, lead in bars, rum, tobacco, cowries, &c. &c., and a large quantity of salt; the latter answering for a species of currency among the natives, similar to cowries. The value of imports may be from 20,000*l.* to 25,000*l.* per annum.

3. Nature and probable value of exports.—Almost exclusively palm oil; a small quantity of ivory is sent to England, but the trade in that article has never been thoroughly opened; there is, however, abundance of ivory in the country. Rather over 2,000 puncheons of oil are shipped annually, and the total value of exports would be from 40,000*l.* to 45,000*l.* Messrs. Harrison have most of their oil shipped direct to England, but Messrs. Horsfall employ small schooners to carry their oil (more than half the total exported) to the River Bonny and Fernando Po, where it is transferred to larger ships.

4. General mode of conducting trade.—Trade is conducted exclusively at the factories; there are no branch establishments in the river; as the oil, &c., is brought in, the native traders are paid in goods, the trust-system not adopted.

5. If an Anti-Slave-Trade Treaty has been made, and whether carried out?—A Treaty with England; and its provision, so far as relates to the abolition of the Slave Traffic, fully carried out.

6. Topographical remarks.—The country a swamp, and all communication carried on entirely with canoes. The rains begin in June, and end about the middle of November; during this time the bar of the river is generally almost entirely impassable. The river at its entrance is about three miles broad; its main trunk, as far as the eye can reach, maintaining a breadth of not less than a mile and a half; large branches shoot off from this, affording ample water communication with the surrounding districts. The towns in the vicinity of the river's mouth are situate up narrow creeks, naturally difficult of access, in many cases made more so by huge trees having been felled and thrown nearly the whole distance across, leaving but room for a canoe to pass; boats with oars would be utterly useless.

7. Average number and the nation of vessels employed.—About five or six vessels belonging to Messrs. Harrison, of about the average tonnage of 200. The shipping employed is exclusively British. As before remarked at Article 3, Messrs. Horsfall employed small schooners; these vessels bring goods up to the factor from the depôt at Fernando Po, taking back oil to fill up the larger ships. Messrs. Harrison send their trading cargoes out direct, and receive oil in return.

General observations.—The natives are peaceable and very fond of trade, which is rapidly on the increase; the non-adoption of the pernicious trust system has wrought the most beneficial effects, making the native more honest than perhaps he would otherwise be, by removing the temptation for dishonesty, creating a wholesome rivalry and consequent increase of trade and activity.

The natives have the utmost confidence in the English, so much so that they will frequently take an acknowledgment on paper for the oil brought in, if the factors do not happen to have by them the particular articles they require. It would be difficult to find a parallel instance on the windward portion of the bights.

The English language is spoken very generally, and with tolerable accuracy, by the natives.

Sacrifices of human beings is followed in this river, but not much is known of the ceremony; a fatal antipathy is entertained towards women bearing twins.

(Signed) W. KYNASTON JOLLIFFE.

Report on the River Bento, or St. John, by Lieutenant W. K. Jolliffe, Commander of Her Majesty' Steam Vessel "Myrmidon," 24th to 28th November, 1852.

1. Names and nation of principal factors.—Mr. Jackson, factor for Messrs. Stewart and Douglass, of Liverpool; and Mr. M'Closkey, factor for Messrs. Horsfall, of Liverpool.

2. Nature and probable value of imports.—Manchester goods, guns, powder, rum, tobacco, cowries, and a large quantity of salt. Value of imports, about 25,000*l.* per annum.

3. Nature and probable value of exports.—Exclusively palm oil; about 2,500 puncheons are shipped, their value about 50,000*l.*

4. General mode of conducting trade.—Business is carried on by "barter;" every article is cast into so many "bars," according to its value; the "bar" may be equal to about 1*s.* 4*d.* British. Messrs. Horsfall's factor does not give credit, but the agent for Messrs. Stewart and Douglass trusts the

natives to a great extent. The custom dues (comee) are badly arranged, causing considerable ill-feeling and bickering with the natives.

5. If an Anti-Slave Trade Treaty has been made, and whether carried out?—A Treaty has not as yet been made, but there is not at present, nor has there been, anything in the shape of Slave Traffic carried on for many years.

6. Topographical remarks.—The country, in general, presents a flat appearance; a few elevated spots are, however, to be seen. It is so intersected by small creeks, that canoe communication is universally adopted; the beaches are sandy, but at a short distance from them mud is generally found; there are some fine trees of various kinds near the river's mouth, but the mangrove predominates as the sea coast is departed from. The villages are few, insignificant, and miserably situated: Nimbz, or Brass, the principal town, is about 30 miles from the sea, difficult of approach, the water becoming very shallow, and the creek intricate; its population is estimated at 6,000. Rains begin in May, and end in October. The bar across the river is nearly at all seasons practicable at high water for vessels with a draught of 14 or 15 feet. As the river is entered, it presents the appearance of an immense amphitheatre, and no branches or creeks of any consequence can be discerned, save that leading to the Nun or Niger.

7. Average number and nation of vessels employed.—Since 1849 the arrivals have been solely British. Stewart and Douglass send out annually three vessels, of about 300 tons each. Messrs. Horsfall employ small schooners, that bring cargo from their depôt at Fernando Po, and carry oil back either to that place or the Bonny, where it is transferred to large ships. The direct tonnage arriving is about 900, and the indirect 1,000 annually.

General observations.—The natives are fond of drink, intractable, and wanting in intelligence, and trade is conducted with some difficulty; the loose and unsatisfactory manner in which the comee, or customs, are levied, and the adoption of trust by one of the factors, may perhaps account for this. The absence also of any Chief of consequence and authority near the factories, one who had the power to punish thievish-disposed natives, and see justice awarded to aggrieved parties on either side, is much felt. The oil is brought principally from the Jo country, adjoining the Niger, and trade, upon the whole, is increasing.

Many victims are annually offered up to their deities in this river: one custom is to bring up, generally, an Albino girl, whose every whim is gratified, and whose person is sacred until the victim arrives at a certain age, when she is carried with much ceremony to the outer bar, and there sacrificed. On the birth of twins, both parent and offspring are made away with.

(Signed) W. KYNASTON JOLLIFFE.

Report on the Rivers Bonny and New Calebar, by Lieutenant W. K. Jolliffe, Commander of Her Majesty's Steam Vessel "Myrmidon," 30th November to 3rd December, 1852.

The trade in these rivers is so identical that a separate account of the transactions of each could not be obtained, ships frequently discharging or receiving part of their cargo in one river and then removing to the other.

1. Names and nation of principal factors.—Mr. Thompson, factor for the Messrs. Horsfall, is the only resident agent in the Bonny. In the New Calebar there are Mr. Smith, agent for the Messrs. Horsfall; and Mr. Goldstone, factor for Messrs. Stewart and Douglass; all reside in hulks. The trade is mostly conducted on board the sea-going ships by supercargoes.

2. Nature and probable value of imports.—Manchester goods, guns, powder, rum, tobacco, salt. Estimated value of imports for these rivers, 84,000*l.* to 90,000*l.* per annum.

3. Nature and probable value of exports.—Palm oil exclusively; 18,500 puncheons are supposed to be annually exported, and their value is estimated at 300,000*l.*

4. General mode of conducting trade.—Trade is conducted by barter, similar to the Benin and Bento, the only difference is that there are but few resident factors, business being principally conducted on board ships that bring out cargo; the trade done in the Bonny is the most extensive, and easily carried on; Calebar trade is more troublesome, in consequence of the roguery of the natives, and the exacting disposition of the chiefs.

5. If an Anti-Slave Trade Treaty exists, and whether carried out?—Treaties for the suppression of the traffic in slaves have been made, and are fully carried out.

6. Topographical Remarks.—The country a few miles from the sea is very low, swampy, and densely wooded with mangrove trees, frequently of considerable size. Rains begin about June and end in October; all communication is carried on by canoes. The villages in the Bonny are miserable, but superior to those in the New Calebar, and the Bonny is also considered more healthy; there are a variety of creeks running from one river to the other, practicable for large canoes; the passage for ships is near the sea, and vessels drawing 15 or 16 feet frequently pass from one river to the other. The main entrance to the Bonny is good, and does not present many difficulties to vessels entering, as generally a fair wind prevails, but ships rarely attempt to get to sea by this passage; the eastern bar is generally used for this purpose, which has, however, not so much water, but the advantage of a fair wind; ships from 700 to 800 tons enter the Bonny; the Calebar River is more difficult to enter, having little water and shifting sands.

7. Average number and nation of vessels employed.—About 24 ships arrive annually, averaging 500 tons each; vessels of foreign nations are scarcely ever seen, and do no trade in the rivers. The ships almost all belong to Liverpool, and the annual tonnage is supposed to amount to 13,000 tons' arrivals.

General observations.—The natives of the Bonny are excessively fond of trade, it appears their ruling passion; they do not indulge in drink or finery of any description, and their habitations have a poor and miserable appearance; the chiefs appear intelligent, but graspiug, but not destitute of justice. The New Calebar people, although separated but by a very few miles, display different dispositions, drunkenness and breaches of faith are their characteristics. The Bonny people delight in hoarding up their wealth, and are termed by the British traders the Israelites of tropical Western Africa.

Human offerings to the principal Jew-jew is common, but conducted with more secresy of late years. The giving birth to twins is an offence visited with death.

(Signed) W. KYNASTON JOLLIFFE.

Report on the Old Calebar River, by Lieutenant W. K. Jolliffe, Commander of Her Majesty's Steam Vessel "Myrmidon," 10th to 12th December, 1852.

1. Names and nation of principal factors.—There are no resident factors in this river, trade is carried on entirely on board the ships.

2. Nature and probable value of imports.—Manchester goods, guns, powder, rum, tobacco, salt, &c.; the value of imports is estimated at 80,000*l.* per annum. From 7,000*l.* to 8,000*l.* worth of brass rods is included.

3. Nature and probable value of exports.—About 12,000 puncheons of palm oil is annually exported, as well as a very small quantity of ebony and ivory. The value of exports is supposed to amount to 190,000*l.* per annum.

4. General mode of conducting trade.—Compulsory trust has until very recently been the custom, which was very prejudicial to the development of commerce; the traders have now successfully broken through this rule, still trust is indirectly given, but an effort will be made to abandon the system entirely: the great obstacle is want of unity among the English traders.

5. If an Anti-Slave Trade Treaty has been made, and whether carried out?—Treaties for the abolition of the Slave Trade exist, and are carried out.

6. Topographical remarks.—The entrance or mouth of this river cannot be less than 9 or 10 miles broad; the passage across the bar is of some extent, and vessels drawing 20 to 22 feet frequent the river; for about 30 miles it maintains a breadth of not less than 6 or 7 miles, it is then divided by an island, and the river afterwards contracts considerably, until at Duke Town, the trading station, it is not more than a mile to a mile and a half broad; this is about 45 miles from the sea, and the whole of the land on either bank, as well as the island, is covered with mud and mangroves. The sea-breeze, if it ever reaches so far as Duke Town, passes over many miles of swamp, and is of little benefit when inhaled by the crews of vessels discharging or receiving cargo. Duke Town is situated on a patch of rising ground, which undulates and forms one bank of the river for about 6 miles; then, I understand, the country presents the same want of variety as observed lower down. Rains commence in May, and end in September; it is then that the palm oil trade is in its greatest activity. The Harmittan or dry season begins about December, accompanied with a thick haze, and is considered the most unhealthy season of the year; the flat and swampy nature of the country renders canoes the invariable mode of conveyance.

7. Average number and nation of vessels employed.—The arrivals may be 9 English ships per annum, averaging 800 tons each; a Dutch ship trades regularly to the river, her tonnage is 456 tons; French and American are rarely seen, perhaps one of each nation in the course of 3 or 4 years, vessels of other nations never. The British annual tonnage, which is nearly all Liverpool, is estimated at 7,000 to 8,000 tons; Dutch, 400 tons; other nations, nil.

General observations.—Drunkenness appears the ruling vice of the natives of Old Calebar; they are not unintelligent, and when free from the influence of rum or their own intoxicating drinks, appear desirous of information, and display in many ways dispositions superior to the neighbouring natives to the westward. They are partial to trade, hospitable, and delight in comfortable dwellings, some of which are almost elegantly furnished. Some difficulties presented themselves when the merchants refused to give indiscriminate credit, but, upon the whole, the natives are peaceable, and cases of fraud will be less frequent as the new system of trading gets into working order.

Propitiatory offerings of slaves are made upon the death of a man of consequence, the number killed is regulated by the wealth and influence of the deceased. The bearing of twins is held in great abhorrence, and mother and children were until very lately instantly murdered, now the offspring are sacrificed and the parent banished.

(Signed) W. KYNASTON JOLLIFFE.

Report on the Cameroons River, by Lieutenant W. K. Jolliffe, Commander of Her Majesty's Steam Vessel "Myrmidon," 14th to 20th December, 1852.

1. Names and nation of principal factors.—Mr. Lawton, agent for Messrs. Horsfall; and Ashmall, brothers; these parties have hulks, but the greater part of the trade is carried on on board the trading ships.

2. Nature and probable value of imports.—Manchester goods, rum, tobacco, guns, powder, &c.; a large proportion of salt is also brought out; the annual value of imports is supposed to amount to 27,000*l.*

3. Nature and probable value of exports.—Palm oil, ivory, and a very small quantity of ebony; 2400 puncheons of oil, and about 10 tons of ivory, is about the extent of annual exports; the value of the oil is estimated at 43,000*l.*, and the ivory at 5000*l.*, making a total of 48,000*l.* per annum.

4. General mode of conducting trade.—Barter. There is frequently in this river much trouble between the natives and European traders, arising from the former not paying their debts punctually; trust, unfortunately, is largely given out by the English, otherwise trade would be very quietly carried on.

5. If an Anti-Slave Trade Treaty has been made and whether carried out?—There are Anti-Slave Trade Treaties, which are fully and strictly adhered to; not a vestige of the Slave-Traffic exists.

6. Topographical remarks.—This river has advantages possessed by no other river visited; its great breadth offers a free passage to the sea-breeze, which blows regularly up to and beyond King Bell's Town, pure and free from malaria, exercising a most beneficial influence in maintaining the health of Europeans engaged in trade; the river also is comparatively free from swamp and mangroves, the latter merely fringing the banks; the land is of good height, well cleared and cultivated;

towns scrupulously clean; habitations orderly, dry, and comfortable; rains are of considerable duration, beginning in May or June, and ending in November; the navigation of the river, notwithstanding its great breadth, is intricate, and only to be undertaken by experienced men: the boats of the "Myrmidon" advanced a considerable distance up the main branch of the Cameroons, and also up the Yakiang branch; the Mangrove Islands are small, and do not extend above seven or eight miles above the anchorage; fresh water, and trees of the greatest variety and beauty are then met with; as the main branch is ascended, the land in many places is observed of some height, while the banks of the river are teeming with a busy agricultural population; not a musket or weapon of any description was seen, all appeared to be thoroughly occupied in their yam and other plantations; at Wara Makemby, the bank of the river was some 8 or 10 feet in perpendicular height, the soil appeared a mixture of clay and sand, rich, dry, and tolerably well cleared; the river is influenced by the tide merely in raising the water a foot or two, but the stream constantly runs down. The Yakiang branch is smaller, more densely wooded, and the paucity of cultivated ground, armed population, &c., shows the turbulent and quarrelsome dispositions of the natives; the land continues low till Qua-Qua is reached, from thence there are a succession of thickly-wooded hillocks, till at Miang or Yakiang, the land on the right bank rises abruptly close to the stream, stretching far away to the north-east, forming a succession of not over-wooded hill and dale.

7. Average number and nation of vessels employed.—Arrivals estimated at eleven ships a year, of the average tonnage of 300 each. Vessels are exclusively British, belonging to Liverpool and Bristol; the annual tonnage is supposed to be 3000 tons.

General observations.—The natives of Cameroons stand alone for intelligence, cleanliness, and obliging dispositions; their villages and houses are without comparison; their villages are, however, of no considerable size, and named after the head-man who governs it; this occasions a kind of clanship and great rivalry, and it would be well if their rivalry went no further than the improvement of their villages and trade; unfortunately, these clans frequently come into collision, when a few lives, and much property is lost, and trade greatly impeded; the English have great sway in the river, and it would be ruinous to a foreigner to attempt to compete with them: the debasing custom of human sacrifice is not tolerated, and women bearing twins are held in estimation. The English language is very generally and accurately spoken.

(Signed) W. KYNASTON JOLLIFFE.

No. 121.

Rear-Admiral Bruce to the Secretary to the Admiralty.—(Received July 8.)

Sir, *"Penelope," Ascension, May 11, 1853.*

I TRANSMIT herewith, to be laid before the Lords Commissioners of the Admiralty, the inclosed copy of a letter from Commander Macdonald, of Her Majesty's ship "Ferret," reporting the capture of the slave-schooner "*Restaurada*," in the New Calabar River, on the 18th March last.

2. Their Lordships will observe that this vessel was captured on information received from Lieutenant Francis P. Coull, Admiralty Agent on board the African mail steam-packet "*Faith*." I have expressed to Commander Macdonald my satisfaction at the promptitude and energy with which he acted on the occasion, and I have approved of his having demanded from the Chief of the country the 128 doubloons which he had received on account of slaves to be supplied to the master of the "*Restaurada*."

I have, &c.

(Signed) H. W. BRUCE.

Inclosure in No. 121.

Commander Macdonald to Rear-Admiral Bruce.

Sir, *H.M.'s Sloop "Ferret," Ascension, May 11, 1853.*

I HAVE the honour to inform you, that agreeably to your orders, I remained at Lagos, to await the arrival of the mail-packet "*Faith*," which vessel arrived on the 11th March, and to her transferred your despatches, &c. The Admiralty Agent on board of her, Lieutenant Francis J. Coull, whilst in the Bonny river, received information that a slave-vessel was in the New Calabar river, of which fact he immediately made me acquainted. I therefore, notwithstanding my desire to communicate with some of Her Majesty's ships in this division, thought it my duty at once to ascertain the truth of that report, and proceeded to the New Calabar river, off which place I anchored on the 17th March, in company with the ship "*Scotland*," of Liverpool.

Owing to the tremendous swell rolling over the bar, no pilots could be induced to come off, notwithstanding Mr. Witt, master of the "*Scotland*," succeeded in getting his boat in with Kroomen, who are well acquainted with the place, to endeavour to obtain them; Mr. Witt accordingly determined to take his vessel in himself, which he did on the following morning, the 18th; he kindly consented to tow my boats, and by that means I was enabled (casting off at the entrance of the Bonny) to reach the New Calabar by sunset, when I had the satisfaction of boarding and taking possession of

the schooner "*Restaurada*," showing no colours, and in every respect ready for the reception of slaves.

She is upwards of 200 tons, nearly new, built of American oak and copper-fastened, and superior to the vessels usually employed in the Slave Trade, having been, by the captain's statement, intended for a packet. Her crew consisted of 21 in all; they spoke Spanish.

The master and several of the crew were severely ill of fever.

The master's statement was, that he had arrived from the Havana about five weeks before, and commenced treating with the King of New Calabar (by name Amacree) for slaves, 400 of whom the latter promised to deliver within 24 days, receiving in advance the cargo, mostly of spirits, besides upwards of 150 doubloons for the same.

Amacree thinking at the same time to keep his treaty with us, sent information to the merchant-captains in his river and the Bonny of the slaver being there.

On the expiration of the appointed time (24 days), during which the schooner had completed her water, and laid in a large stock of yams, &c., the King informed them that it would require more time to obtain the slaves; and owing to this delay, and the sickness with which so many of the crew were ill, the schooner was dropped down to near the entrance of the river, where I took her.

Considering the King, by giving information of the vessel, had not positively broken his Treaty, I still thought his duplicity and rascality should not go unpunished; I therefore, on the 19th, with my boats partially manned (being obliged to leave a large proportion in charge of the prize) proceeded up the river, calling alongside two merchant-vessels, and taking therefrom their supercargoes, to act as interpreters, and to witness that I did nothing to endanger their future transactions with the King.

Having arrived close off the town of New Calabar, some 15 miles up, I fired the Pinnace's gun with double cartridge blank, to announce my presence. I then landed, and having, through a Mr. Glanville, one of the supercargoes, who was acquainted there, desired the King to meet me with his Chiefs in the Jew-Jew house, I proceeded thither with the two supercargoes, two officers, and seven men, also the mate of the prize.

King Amacree at first seemed inclined to be insolent, and wanted to know what I meant by bringing up an armed force to his town; but upon my taxing him with his duplicity, and demanding the restitution of the ounces merely (as the only available part of the cargo) which belonged to the prize, should he not have purposed breaking his treaty with us by supplying her with slaves, he changed his tone, and being confronted with the Spaniard, he did not deny, between him and his Chiefs, that he owed him about 140 doubloons; he and his Chiefs, however, seemed very loath to part with any portion of them, and at one time seemed determined not to give them up; but upon my giving him a quarter of an hour to consider, he retired, and eventually returned with 110 doubloons, stating that the Chief, a Fouche, was debtor of 18, which I might get from him; I however intimated that I recognized but one King in one country, and held him answerable that they should be delivered to me by 8 o'clock the following morning, threatening to repeat my visit; he accordingly sent the order, and I got them.

The King, before delivering over the money, proposed that I should allow him to retain it on account, towards the debt owing to him by England per Treaty, amounting to the value of 4000 dollars, which is now nearly two years in arrear, and of which he complained bitterly. I told him that I considered that palaver rested entirely between Mr. Beecroft and himself, and in a pecuniary point had no reference to the present case; I, however, charged myself with a letter on the subject from him to Mr. Beecroft, which I duly delivered. Owing to the difficulty in crossing the two bars, I did not succeed in getting the prize out to this vessel until the 22nd. On the following day, having victualled and prepared her for the voyage, I despatched her to Sierra Leone with a crew of Mr. Robinson, mate; Mr. Gibbons, master's assistant, and nine men, sailing at the same time myself for Fernando Po, which I reached on the 26th. I found here Her Majesty's ship "Volcano."

Having given Mr. Beecroft a full account of my proceedings up to New Calabar, he was pleased to approve of them in every respect.

Not having completed water till the 2nd April, the packet being very much over-due, I waited her arrival on the 4th; she brought no mails for any of Her Majesty's ships.

I sailed on the 13th. On going on shore, I received from Mr. Vice-Consul Fraser a sealed letter to any of Her Majesty's ships arriving there, from Commander Heseltine, of the "Britomart," desiring them to proceed with all despatch to Cape Coast Castle, in consequence of an urgent request for assistance from Governor Hill. I got away that afternoon, finding the wind made it most convenient to reach Little Popoe; I stood in there to land the remaining four of the prize crew, who had been too ill to be taken by any of the merchant-captains of the Bonny, (as the others were) or to be landed sooner.

I have, &c.
(Signed) R. T. T. G. MACDONALD.

No. 122.

Rear-Admiral Bruce to the Secretary to the Admiralty.—(*Received July* 6.)

Sir, "*Penelope*," *Ascension, May* 12, 1853.

I DEEM it advisable to request that you will be pleased to lay before the Lords Commissioners of the Admiralty the accompanying letters from King Akitoye, which I received by Her Majesty's ship "Ferret" yesterday, and at the same time to remark that the fears I entertained for the safety of Lagos so long as Mr. Fraser remained there, are entirely removed now that he has been relieved in his office of Vice-Consul by Mr. Benjamin Campbell, who I am confident will receive all proper support from Commander Phillips, of Her Majesty's steam sloop, "Polyphemus," the senior officer in the Bights

division of the squadron; and I myself intend to repair there as soon as the duties on other parts of the station will admit.

"Takpah," the person referred to in King Akitoye's letter, is known to us as "Tappah"—he was the principal adviser of Kosoko, the late Chief whom we deposed.

I have, &c.
(Signed) H. W. BRUCE.

Inclosure 1 in No. 122.

Akitoye, King of Lagos, to Rear-Admiral Bruce.

Sir, *Lagos, April* 1, 1852.

IF I could have avoided it, I would never attempt complaining against any Englishman, but I am now compelled to lay before your Highness the proceedings of the Consul with me.

Lately a woman ran away from Takpah to me, begging my protection. Therefore Takpah wrote a letter to the Consul, demanding the woman. The Consul, willing to oblige Takpah, would have me deliver up the woman to be sent to Takpah; but, knowing that even Takpah himself belongs to me, being no more than a Lagos slave, I did not think it reasonable to send the woman back to Takpah, who has by choice ran away and came to me. My own people are continually running away to Takpah and Kosoko, and I have never attempted sending for them.

As I would not deliver up the woman to be sent to Takpah, the Consul threatens both my people and me that Takpah would come with an army to destroy Lagos. But not only this, but the Consul also made the merchants believe that Takpah would come and destroy Lagos. Therefore many of the merchants are now packing and sending their goods away. The merchants would not now land their goods from the ships because of what the Consul has said.

Another thing which the Consul did is, he gave a piece of ground, without my knowledge, to the Portuguese to build their church. I asked some persons whether the religion of the Portuguese were the same as that of England, and I was told that it is not quite the same. As the Portuguese, who had been trading at Lagos for so many years, and had not all the while built a church, I will not now permit them to build one.

It appears to me that the Consul is encouraging Takpah to bring war against me, and to kidnap my people who go to buy and sell at Jebu.

With, &c.
(Signed) AKITOYE.

Inclosure 2 in No. 122.

Akitoye, King of Lagos, to Rear-Admiral Bruce.

Sir, *Lagos, April* 15, 1853.

AS other things appeared after the larger letter had been written and closed, I beg leave to add a line more.

I am fully convinced that if the Consul should continue longer at Lagos, Lagos is at the brink of ruin, and therefore I most earnestly beg you to take away this Consul, and favour me with another man.

I am, &c.
(Signed) AKITOYE.

No. 123.

Commander Phillips to the Secretary to the Admiralty.—(Received August 27.)

H.M. Sloop "Polyphemus," off Whydah, Bight of Benin,
Sir, *June* 23, 1853.

THE Commander-in-Chief being on a distant part of the station, I have the honour to transmit for the information of my Lords Commissioners of the Admiralty, copies of a special Report and of correspondence which led to it, which I have this day had the honour to make to the Rear-Admiral Commanding in Chief on the West African station.

I have, &c.
(Signed) C. G. PHILLIPS.

Inclosure 1 in No. 123.

Commander Phillips to Rear-Admiral Bruce.

Sir, *H.M.'s Steam Sloop "Polyphemus," off Whydah, June* 23, 1853.

1. DOMINGO MARTINEZ, the well-known trader at Porto Novo, in the Bight of Benin, lately intercepted 20 slaves on their way from Lagos to Aghwey, and sent them back to Akitoye, the King of Lagos, who discovered that they had been purchased by one Augusto Amadei, a native of Pesth, for exportation.

2. Amadei was confined in consequence, and Akitoye, the King, asked, received, and acted on my advice, and on the 15th instant the said Amadei was conveyed by one of the King's war-canoes to Badagry, and there set at liberty. A correspondence arose out of these proceedings, a copy of which I have the honour to inclose.

3. I forward also a letter from the Lieutenant commanding the "Spy," reporting the detention of a Portuguese schooner, the "*Aguia*," under the Slave Treaty with Portugal. It is said that much activity prevails among the slave-traders on this coast just now, and the Vice-Consul has heard that two cargoes of negroes got away, during the latter part of May, from the windward part of this Bight.

The communications betweeen the missionaries at Lagos and Abbeokuta are free and uninterrupted. Nothing is known at Lagos of the King of Dahomey's movements.

Governor Hill, of Cape Coast, has gone to Madeira for the benefit of his health; the Chief-Justice administering in his absence. War with the Ashantees, after the rains, spoken of as probable.

I have heard of no foreign ships of war being in the Bights since I have been in them (two months).

I intend to send a copy of this despatch and its inclosures to the Secretary of the Admiralty by the return packet.

I have, &c.
(Signed) C. GERRANS PHILLIPS.

Inclosure 2 in No. 123.

Akitoye, King of Lagos, to the Captains of any of Her Majesty's Ships of War off Lagos.

Sir, *Lagos, May* 21, 1853.

I HAVE to inform you that I have found out that some of the Portuguese nave been in the habit of carrying on the Slave Trade; 20 slaves have been sent to me by Domingo, of Porto Novo, as a proof.

I have, according to the Treaty with the Queen of England, imprisoned some, and will imprison all the party, until I shall hear from your great authority what to do.

I will be on the look-out for any of Her Majesty's officers to come and direct me about this matter.

I am, &c,
(Signed) AKITOYE.

Inclosure 3 in No. 123.

Commander Phillips to Akitoye, King of Lagos.

Sir, *H.B.M.'s Ship "Polyphemus," off Lagos, June* 12, 1853.

THE Undersigned, Commander of the British men of war in the Bights, received yesterday from Lieutenant Beresford your Highness' letter of the 21st May, informing us that you have imprisoned some of the Portuguese for slaving, and requesting our advice as to what you shall do.

The 5th Article of your Treaty with the Queen of England stipulates that Europeans engaged in Slave Trade are to be expelled from your country.

I therefore recommend you to send the white men whom you have caught slaving, under a guard, out of your country as soon as possible, unless they are British subjects, in which case they must be sent under a guard to the Consul, who will send them as prisoners on board a ship of war.

I will acquaint the Admiral of the efforts you tell me you have made to put down the Slave Trade.

And by the next packet I will report the same to Her Majesty's Government, and I feel certain that if you act justly and with energy in keeping your Treaty, and putting down foreign Slave Trade, you will give great pleasure to, and secure the friendship and favour of Her Majesty the Queen of England and all her subjects.

Especially I recommend to your protection the ministers of the Christian religion who live in your country.

I have, &c.
(Signed) C. GERRANS PHILLIPS,
Commander H.M.'s Sloop "Polyphemus."

Inclosure 4 in No. 123.

Vice-Consul Fraser to Commander Phillips.

Sir, *Lagos, June* 4, 1853.

MAY I request your assistance and advice towards compelling Accatoy to liberate a white man whom he has most unwarrantably confined for some days past. Hitherto a white man on this coast has been held as a kind of Fetish; no person would dare touch his person; and if this charm is once broken by allowing Accatoy to set the example, no one will be safe.

Secondly, he has most unjustly confined a black trader, solely for the purpose of forcing immense dashes from him. This, I think, ought not to be allowed.

Thirdly, he refuses to punish some of his own chiefs who have been dealing in slaves, under the pretence that he cannot find it out.

I have, &c.
(Signed) LOUIS FRASER.

Inclosure 5 in No. 123.

Commander Phillips to Vice-Consul Fraser.

Sir, *H.M.'s Steam Sloop "Polyphemus," Lagos Roads, June* 12, 1853.

I HAVE just received your despatch of the 4th instant, requesting my advice and assistance towards obtaining the liberation of a white man unwarrantably confined by the King of Lagos; and on behalf of a black trader, also on the refusal of the said King, who will not punish some of his own chiefs for slave trading, alleging that he cannot find it out.

I am not permitted to use force except in urgent cases affecting British life and property, and you do not state that the white man or the black trader are British subjects.

The annexed paper (A) probably refers to these transactions; if so, the white man is one of the individuals who has been caught slaving, and richly deserves to be kept prisoner till he can be handed over to his own Government; but you will perceive by my letter to the King, which I inclose under flying seal, and request you to forward, that impressed as I am with the fact you allude to of the policy of keeping a white man's person sacred, I have confined my recommendation to the terms of the Treaty.

You will doubtless represent in the proper quarter any acts of the King of Lagos that Her Majesty's Government may see reason to interfere about.

After the arrival of the next packet I shall probably send to the Commander-in-Chief, and shall have pleasure in forwarding any communication you may wish to make.

I have, &c.
(Signed) C. GERRANS PHILLIPS.

Inclosure 6 in No. 123.

Vice-Consul Fraser to Commander Phillips.

Sir, *Lagos, June* 16, 1852.

LAST night about ten o'clock we were alarmed by stifled cries of distress upon the Lagoon. The boys said they proceeded from some one in a white shirt and trowsers, in a large canoe that passed. Canoes and boats were launched as speedily as possible: every white man turned out armed.

We descended the river as far as the Church Mission-house, when we ascertained from a trading man that two war-canoes, fully manned, had entered Badagry Creek.

Our suspicions immediately fell towards the two prisoners, Amadie and Antonio Martinez, but further attempts to follow would have been useless.

This morning I learn that a body of armed men belonging to the King entered the place where Amadie was sleeping, seized and forcibly carried him away.

One of the men was heard to say, "Seize him by the throat."

What is to be done?

A man—a white man, too—is seized, his property taken, and afterwards he forcibly carried off in the dead of the night, no one knows where or wherefore—perhaps to murder him.

Is there to be no respect paid to English authority?

Such things must not be allowed to pass, otherwise neither myself nor any one else will be any longer safe.

I have, &c.
(Signed) LOUIS FRASER.

Inclosure 7 in No. 123.

Vice-Consul Fraser to Commander Phillips.

Sir, *Lagos, June* 17, 1853.

I SEND you copies of three documents this morning received, two statements and a protest.

Something must be done, I no longer consider myself safe. The man must be reproduced, and if you will, delivered over to you; then, at least, he will be safe. Accatoy should, at least, be severely reprimanded.

I have, &c.
(Signed) LOUIS FRASER.

Inclosure 8 in No. 123.

Statement.

Lagos, June 16, 1853.

ON the 15th June, at ten o'clock at night, Auguste Amadie, native of Austria, passed the house of M. Contto, a prisoner in a canoe, calling out for help, repeating the names of Contto and Marinho, as he cried out that they would murder him. The black people who conducted the canoe shut his mouth to prevent his cries; he was seen by some servants of Joaquim José de Contto, and his cries were heard by Francisco Gil de Aguia and Pedro Martin Jamba; they ran to the bank of the river, calling for their servants in the house, still hearing the forenamed Amadie trying to cry without being able to articulate his words, as a person under the pain of being throttled. Then Mr. Fraser, the Vice-Consul, and Joaquim José de Contto, who were conversing in a house close by, were sent for, but when those two came nothing more was to be seen; upon which Mr. Fraser, the Vice-Consul, sent Angelo dos Chagos in a small canoe to ascertain the direction the canoe had taken which had the unfortunate man in question. In the meantime the Vice-Consul and Contto went to Mr. Herman Grote's house, to inform him of what had occurred; this gentleman and M. Contto then went in a boat to follow likewise this canoe. In the meantime Messrs. Francisco Gil de Aguia, Thomas Tickel, Pedro Martin Jambo, and Antonio José Marinho went in a large canoe for the same purpose—to save, if possible, the unfortunate man. The foresaid boat and two canoes coming abreast the Badagry Creek, met the small canoe with Angelo Custodio dos Chagos, saying he had seen a canoe coming down, and, upon inquiry, he was informed they have seen a large canoe well manned, but she was so far advanced it was impossible to overtake her; whereupon the forenamed persons, finding their efforts of no avail, came back to see what could be done to save the unfortunate man.

(Signed) J. S. DE CONTTO.
HERMAN GROTE.
FRANCISCO MARTIN JAMBO.
ANTO. J. MARQ. MARINHO.
JOAQ. JOSE SUN.
ANGELO CUSTODIO DOS CHAGOS.
THOS. R. T. TICKEL.

Inclosure 9 in No. 123.

Statement.

Lagos, June 16, 1853.

ON the 16th June, at seven o'clock, A.M., Herman Grote and Joaquim José de Conto went to see Antonio Martinez, a fellow-prisoner of M. Amadie, questioned him respecting this unfortunate man.

He answered as follows:—

"Yesterday, at half-past nine or ten o'clock at night, came to this place several of the King's people, armed with guns, and seized M. Amadie in the state he was then in, without a jacket, shoes, or hat, and put him in a canoe in a rainy night. I believe they shut his mouth to prevent his cries being heard, having overheard the King's man telling the others, in country language, 'Shut his mouth to prevent his cries.' M. Amadie had on his person in a waistband at the time he was seized 40 or 50 ounces of gold (doubloons), and some pounds of sterling money, and I think they will kill him only for the sake of the money."

This is the answer given to us upon questioning the forenamed Antonio Martinez.

(Signed) HERMAN GROTE.
J. S. DE CONTTO.

Inclosure 10 in No. 123.

Protest.

Lagos, June 16, 1853.

AS M. Auguste Amadie, who is a European, should not be arbitrarily judged and punished by a native uncivilized king, has put himself during his confinement under the protection of Mr. Fraser, Her Britannic Majesty's Vice-Consul, we, the undersigned, residents of Lagos, protest against the (in the accompanying documents explained) cruel and not justified proceedings of King Akitoye.

We beg humbly the Vice-Consul to interfere to find the fate of this unhappy man Amadie, and if possible, to save him.

(Signed) W. R. HANSEN.
HERMAN GROTE
J. J. DE CONTTO.
ANT. J. MARQ. MARINHO.
PEDRO MARTIN. JAMBO.
FRAN. GIL DE ASSUAR.
LEON PIERRA DE NARIOS.
JOAQ. JOSE DO SEMHA.
JOAQ. POR. MACHOIA.
J. R. T. TICKEL.
MARIOS BORGAS FERRAS.
ESTENAO DOM SANTOS BARROS.
JOAO HANWIKEL.

Inclosure 11 in No. 123.

Commander Phillips to Vice-Consul Fraser.

Sir, *H.M.'s Sloop "Polyphemus," Lagos Roads, June* 19, 1853.

I BEG to acknowledge the receipt of your letters of the 16th and 17th, with inclosures, on the subject of the forcible expulsion of the Austrian, Amadie, from Lagos on the night of the 15th by order of Akitoye the Chief, the said Amadie having (as you are aware) been guilty of slave-trading.

I am of opinion that the Chief Akitoye acted on this occasion in virtue of his Treaty engagements with the British Government. I regret the difference of opinion between us on this subject. British protection cannot be thrown around a slave-dealer who has acknowledged his guilt, as this Amadie has done, nor am I authorised to receive him on board Her Majesty's ship as a prisoner.

You state that you no longer consider yourself safe: I hope you are re-assured on this point. It is hardly necessary to say that the hospitalities of any of the Queen's ships are at your command, should you feel compelled to abandon the important duties confided to you.

I have, &c.
(Signed) C. GERRANS PHILLIPS.

Inclosure 12 in No. 123.

Vice-Consul Fraser to Commander Phillips.

Sir, *Lagos, June* 19, 1853.

I AM fully convinced that the whole affair which took place on the night of the 15th was a trick. It has been a combination betwixt Akitoye and the Portuguese; they cry out that Amadie was forcibly abstracted at night.

The King will make a boast that he has carried out the Treaty.

All this, I must say, has been well arranged.

I have seen a note from Amadie, written in Portuguese, dated Badagry, June 16th, which although sent for my inspection was never intended to be translated to me. It begins by thanking his friends in Lagos for saving his life, describing what I then told you in my letter—his forcible abstraction—attempts at throttling, &c., and that he is to proceed to Porto Novo on the following day; that his friends in Lagos are to carry out the project with the cutter previously arranged. What is this project? From the time he arrived at Badagry he was free, for he landed opposite the British Factory, and was allowed to remain there without being taken to Mayo.

Is the English Government to be thus deceived?

Although this affair took place on the night of the 15th, up to this time (1 p.m.) the King has not sent one word to me about it. Again, Antonio Martinez' statement was made without fear in the presence of the King's boys, without any attempt on their part to stop him. These two circumstances alone are confirmative.

I have, &c.
(Signed) LOUIS FRASER.

P.S.—Amadie is going to establish himself at Aghway; this should be prohibited.

Inclosure 13 in No. 123.

Vice-Consul Fraser to Commander Phillips.

Sir, *Lagos, June* 19, 1853.

I MUST now claim your assistance to carry out what my protestations have failed to achieve, viz., the expulsion of the Portuguese; the more I have said against their remaining here, the more he (Akitoye) has encouraged them.

I have, &c.
(Signed) LOUIS FRASER.

Inclosure 14 in No. 123.

Commander Phillips to Vice-Consul Fraser.

Sir, *"Polyphemus," off Lagos, June* 20, 1853.

I HAVE to acknowledge yours of yesterday's date, informing me that you believe the whole affair of the 15th (Amadie's expulsion) is a trick, and that the same Amadie from the time he arrived in Badagry was free.

The suspicions which occur to you are reasonable and shall have due consideration, but whatever Akitoye's motives may be, his actions in this matter have been in strict accordance with his Treaty engagements.

I inclose a letter for Akitoye, which I request you to forward.

With respect to your letter No. 2, claiming my assistance for the expulsion of the Portuguese, one answer only can be given. I can in nowise countenance or advise any such measure towards subjects of a nation with whom we are at peace. If they should be found guilty of any contravention of the Treaty with the rulers of this place, you shall have my best aid towards inducing Akitoye to its due observance.

I shall proceed on the valuable private information you have sent me, as soon as some temporary repairs to the machinery of the mail steam packet are completed by my engineers, which will I hope be finished before midnight.

I have, &c.
(Signed) C. GERRANS PHILLIPS.

Inclosure 15 in No. 123.

Commander Phillips to King Akitoye.

Sir, *H.B.M.'s Sloop "Polyphemus," off Lagos, June* 20, 1853.

THE Undersigned, commanding the Queen of England's ships of war in the Bights, has received from the Vice-Consul information that Akitoye the King has duly turned out of his dominions the slave-trader, Amadie.

The British Government and the Admiral will immediately be informed of this very satisfactory conduct on the part of Akitoye.

Let him continue to act justly and with as little violence as necessary towards the wicked, giving favour to none.

Akitoye should remember that Mr. Fraser is the Queen's mouth, and cause a letter to be written to him as to what has been done with Amadie.

I have, &c
(Signed) C. GERRANS PHILLIPS.

Inclosure 16 in No. 123.

Lieutenant Beresford to Rear-Admiral Bruce.

Sir, *H.M.'s Brigantine "Spy," off Aghwey, June* 6, 1853.

I HAVE the honour to report for your information, that whilst cruzing along the coast, I had intelligence that a schooner off Aghwey was about to start with a cargo of slaves. I immediately sailed for that place, arriving there shortly after daylight on the morning of the 4th, when I found four vessels (two barques and a brig, English), and the Portuguese schooner "*Aguia;*" having boarded the latter, I was informed by the boarding officer that he considered her highly suspicious; I then stood in and anchored, and went on board myself, when I found that she had evidently an illegal cargo on board, consisting, in the first place, of an extraordinary quantity of Indian corn, more than sufficient for the consumption of her crew; 2nd, a large quantity of matting; 3rd, a great number of calabashes or kids used instead of tin cans for the negroes; her hold was divided into three or four partitions, the foremost one being quite clear and matted over; all these things being in defiance of the Slave Treaty, signed between Great Britain and Portugal; (vide page 603 of the Slave Instructions). On asking for his papers, I was informed that the captain was on shore, and having sent for him he came off in about two hours, when I told him that his vessel had an illegal cargo on board, and in my opinion was fitted for the purpose of the Slave Trade; and on showing him my instructions, he said nothing more. I then asked for the supercargo, to whom the vessel was consigned, but he never came near the "*Aguia*" to make any explanation, although a quantity of dollars, some gold-dust, and jewellery belonging to him were on board. On referring to the boarding book, I found that she had been visited by the "Spy," on the 7th May last, off Lagos; she then had a cargo composed of rum and tobacco, which she was discharging, and also taken a considerable quantity of palm oil on board, which he positively asserted to the boarding officer was to form his cargo for Brazils. I also whilst on board heard him acknowledge this, giving a reason for altering his cargo, that he received a letter from his owners to take out his palm oil, and fill up Indian corn for the Brazils, but which letter he could not produce; as to the mats, calabashes, &c., he had no other excuse to make, than that they had been sent on board by the supercargo. Under these circumstances, having received no explanation from the supercargo, I determined on detaining the vessel, and have sent her this morning in charge of Mr. Kidd, acting mate, and nine men, to St. Paul de Loanda for adjudication. The captain is a Portuguese, the man in command

whilst he was on shore is a Spaniard, and the rest of the crew, consisting of twelve other men, were Portuguese, Brazilians, and Africans. During the search, the crew being told that some of them would be taken on board the "Spy" for the security of the prize crew, and that the remainder would be sent to St. Paul's de Loanda, quitted the vessel.

The "*Aguia*" is apparently and by report a very fast sailing vessel, tonnage 105. I beg leave to inclose a list of the crew.

I have, &c.
(Signed) H. BERESFORD.

Inclosure 17 in No. 123.

Commander Phillips to the Secretary to the Admiralty.

Sir, "*Polyphemus*," *off Lagos, Bight of Benin, July* 1, 1853.

THE Commander-in-Chief of Her Majesty's ships and vessels on the west coast of Africa being on a distant part of the station, I have the honour to transmit for the information of my Lords Commissioners of the Admiralty the copy of a despatch, with inclosures, I have this day addressed to him on the affairs of Lagos.

I have, &c.
(Signed) C. GERRANS PHILLIPS.

Inclosure 18 in No. 123.

Commander Phillips to Rear-Admiral Bruce.

Sir, "*Polyphemus*," *off Lagos, July* 1, 1853.

WITH reference to that part of my Report to you of the 22nd ultimo, which appertains to the imprisonment and expulsion of certain slave-dealers by the King of Lagos, I have now the honour to lay before you copies of further correspondence on the same subject.

I have, &c.
(Signed) C. GERRANS PHILLIPS.

Inclosure 19 in No. 123.

Akitoye, King of Lagos, to Commander Phillips.

Sir, *Lagos, June* 13, 1853.

I ACKNOWLEDGE the receipt of your letter of yesterday, and I thank you very much for the healthful advice you kindly gave me; I shall therefore, agreeable with the 5th Article of the Treaty, dismiss this white man, Mr. Amadie, from my country.

But the other man is not a white man, he is a Brazilian, a black man, who only came to reside in my country; he keeps about 100 slaves under him, whom he tries to ship at Porto Novo as soon as he can find a favourable opportunity, and he has as many more as wives.

Now I humbly request you to tell me what is to be done with him; is he to be sent away from the country too? His name is Ozo Martinez. I wait for a speedy and immediate answer.

I shall endeavour my utmost to permit nobody whatever to carry on the Slave Trade in my territory; but while I thus try, I desire the English to assist me in eradicating this inhuman traffic.

Besides the two men found carrying on the Slave Trade, there is another man, my own subject, who is concerned in the same affair. I have sent several summonses to him to come and answer for his conduct, but he, putting himself under the protection of Aginia, and one of my Chiefs, refused to obey me: I have sent repeatedly to the Chief Aginia, who has afforded him protection, to deliver him up, but he would not obey me. Now in such a case I greatly desire the English to interfere in putting down rebellion by force, either by transportation, or by any such measures as will tend to suppress every rising rebellion.

I stand in need of a speedy advice from you.

I have, &c.
(Signed) AKITOYE, *King of Lagos.*

Inclosure 20 in No. 123.

Commander Phillips to Akitoye, King of Lagos.

"*Polyphemus*," *off Lagos, June* 30, 1853.

HEALTH and good wishes,—I have received your letter of the 13th June; I am sorry other duties prevented earlier reply. You ask what is to be done with Ozo Martinez, the Brazilian black man you have caught slaving.

In answer this,—that as he is not your subject, you are bound by Treaty to expel him from your dominions. You say one of your own subjects will not come and answer for his conduct, but has put himself under the protection of Aginia, who will not give him up. Now, I have been told that this palaver was settled by the Consul 38 days ago, and that Aginia paid a fine to you to preserve this man and two others.

If this is true, you have inflicted a punishment, and English fashion does not punish anybody twice for the same offence.

I will inform the Admiral that you wish the English to interfere in putting down rebellion by force.

I sincerely hope for the good of Lagos that you and your Chiefs will agree in putting down Slave Trade, and employ your people in trade, and not have occasion to need the help of armed strangers.

I have, &c.
(Signed) C. GERRANS PHILLIPS.

Inclosure 21 in No. 123.

Vice-Consul Fraser to Commander Phillips.

Sir, *Lagos, June* 27, 1853.

THERE are claims against Amadie's estate. I have two applications before me, one from Mr. Sandeman, the other from Senor F. G. d'Aguia. There may be more. What is to be done? By my letters you are aware that Akitoye seized all.

I have, &c.
(Signed) LOUIS FRASER.

Inclosure 22 in No. 123.

Commander Phillips to Vice-Consul Fraser.

Sir, *H.M.'s Sloop "Polyphemus," off Lagos, July* 1, 1853.

I BEG to acknowledge the receipt of yours of the 27th instant, informing me that there are claims against the estate of the slave-dealer Amadie, lately expelled from Lagos. This is a matter in which I have no authority. You put a question to me what is to be done?

I shall therefore not hesitate to tell you that it seems to me you might perhaps warn the least informed of the British subjects within your Consulate of the risks attending any dealings with slave-traders; not only in a pecuniary point, but the possibility of becoming liable to the Acts 5 Geo. IV, cap. 113, and 6 and 7 Vic. cap. 98.

I inclose a letter to Akitoye, which I request you will forward.

I have, &c.
(Signed) C. GERRANS PHILLIPS.

No. 124.

Rear-Admiral Bruce to the Secretary to the Admiralty.—(*Received August* 30.)

Sir, *"Penelope," off Congo, July* 8, 1853.

I REQUEST you will lay before the Lords Commissioners of the Admiralty the accompanying copy of a despatch and its inclosure, from Commander Need, of Her Majesty's ship "Linnet," reporting the capture, on the 30th April last, of two slave vessels that were concealed in a creek in the River Pongas, by the boats of that sloop, in charge of Lieutenant F. G. Probyn, whose judgment and perseverance on the occasion appear to be deserving of every praise.

I have, &c.
(Signed) H. W. BRUCE.

Inclosure 1 in No. 124.

Commander Need to Rear-Admiral Bruce.

Sir, *H.M.'s Sloop "Linnet," off Rio Ponga, May* 3, 1853.

I HAVE the honour to inform you of the capture of two vessels up the Rio Pongas, a large brigantine and a schooner, completely fitted for slaves, by the boats of Her Majesty's sloop under my command, in charge of Lieutenant Probyn, who has acted with great judgment, and beg to inclose a copy of his statement.

The brigantine is a very fine vessel, about 250 tons, without colours or papers, but said to be a Spanish vessel called the "*Bellina*," and was to have taken her cargo in about a week.

The schooner is an ordinary vessel, of about 100 tons, without colours or papers, and name and nation unknown; she was not to have sailed, I believe, for some weeks, and had been several months (three at least) up the river.

I have, &c.
(Signed) HENRY NEED.

Inclosure 2 in No. 124.

Lieutenant Probyn to Commander Need.

Sir, *H.M.'s Sloop "Linnet," off Rio Ponga, May* 3, 1853.

AGREEABLY to your order, I proceeded to Tuggi Kerrin on the 30th April, 1853, and having gained the information which you anticipated, succeeded in surprising a large brigantine, the crew of which jumped overboard without making resistance (we intercepted two, and found four negroes on board, who, I was afterwards informed, were sent on board to prepare for the shipment of slaves); and leaving Mr. Edwardes, mate, in charge, proceeded with the second gig and pinnace, and following the directions received, seized a schooner completely fitted; she was entirely deserted.

Considerable difficulty was experienced in towing her down, and as the creek in which she was moored was not the breadth of her length, I did not join Mr. Edwardes until next morning, and in consequence of the intricacy of the navigation, and the vessels having frequently touched the ground, I was unable to join the brig before the morning of the 3rd.

I have, &c.
(Signed) F. G. PROBYN.

No. 125.

Rear-Admiral Bruce to the Secretary to the Admiralty.—(Received September 12.)

Sir, *"Penelope," off the Congo, July* 5, 1853.

I TRANSMIT herewith a copy of a letter from Lieutenant W. K. Jolliffe, commanding Her Majesty's steam vessel "Myrmidon," reporting the capture, on the 31st May last, of a schooner named the "*Maria*," supposed to be Spanish, but without any colours or papers, and being fully equipped for the Slave Trade.

I have, &c.
(Signed) H. W. BRUCE.

Inclosure in No. 125.

Lieutenant Jolliffe to Rear-Admiral Bruce.

Sir, *H.M.'s Steam Vessel "Myrmidon," off Killoo, June* 3, 1853.

I HAVE the honour to report, that at 9.15 on the morning of the 31st May, Banda port, bearing east-north-east 7 miles, a sail was reported to seaward, standing to the southward; on the vessel being made out a schooner, the fires were immediately lighted; during this time the stranger had tacked, and was standing towards the "Myrmidon," she being hid by the haze hanging over the land; about 11 o'clock a.m. the stranger appeared to make us out, tacked and stood away free, and I proceeded in chase, gradually gaining on the schooner, which sailed very fast indeed, considering the light breeze blowing, and at 3·30 p.m., being within range, I fired a blank gun, and the chase hove to; I boarded, found her without colours or papers, slave deck laid, and in fact in every respect ready for the immediate reception of a cargo of slaves.

I therefore seized her.

The schooner is named the "*Maria*," is quite new, and apparently constructed and equipped especially for the Slave Trade; she was built at Baltimore, and is 74 days from Cuba; the exact port she cleared out from could not be ascertained, but is supposed to be some 60 miles from the port of Havana; her destination was Banda Point or Kilongo, and her cargo was, I believe, to be supplied by some one of the agents that Signor Pepé (who is also known by another name) has established in this neighbourhood.

The master of the schooner, Juan Diaz, a Spaniard, formerly kept a factory on the coast, and is an old and non-communicative slaver; the 1st mate gives an Austrian name, but not much reliance can be placed on their statements in this respect; he is, however, an Havanese either by birth or adoption, was taken by the "Bonetta" off Cape Mount in 1848, and again recently by the "Vestal," off Cuba; the 2nd mate is quite a new hand.

It is reported by these people, that many vessels have recently successfully landed cargoes of negroes in Cuba, and that several ships have lately, and are now fitting out, in consequence of the impetus given to the Slave Traffic by these successes. It is supposed that most of the Spanish slavers fit out within some 50 or 60 miles of Havana; but some clear out legally from that port, and ship their provisions, water, and fittings from small schooners at one of the quays. I am induced to believe that almost all those vessels intending to get cargoes in this vicinity touch at Annobon Island, if possible, for a supply of stock and water.

On my last visit to Loango, May, after the capture of the "*Maria*," the King of Great Loango sent a messenger down, interdicting the natives under his control from supplying ships of war with

poultry, fruit, &c., I suppose in consequence of our interference with, to him, a profitable traffic; thus displaying a revival of that hostile feeling which had slumbered till the late re-opening of the export trade in slaves in this Chief's dominions.

I have, &c.
(Signed) W. KYNASTON JOLLIFFE.

N.B. I omitted to note that the "*Maria*" had been well armed with percussion muskets, &c., which had been thrown overboard when her capture became inevitable, also that it was the intention of the crew to resist boats.

No. 126.

Commander Phillips to the Secretary to the Admiralty.—(Received October 29.)

"*Polyphemus*," *off Lagos, Bight of Benin,*
Sir, *September* 11, 1853.

I FORWARD herewith a copy of a letter I have this day addressed to Rear-Admiral Bruce (who is on a distant part of the station), which I request you to communicate to my Lords Commissioners of the Admiralty.

I have, &c.
(Signed) C. GERRANS PHILLIPS.

Inclosure in No. 126.

Commander Phillips to Rear-Admiral Bruce.

(Extract.) *H.M.'s Sloop "Polyphemus," off Lagos, September* 11, 1853

I BEG to acquaint you that Akitoye, King of Lagos, died suddenly on the 3rd instant.

His son Ducimo was elected in his place on the following day, in presence of Lieutenant Pearce, Commander of the "Athol," and on the 5th, during my absence on a cruize, Commander Gardner, of the "Waterwitch," entered the river with the armed boats, and saluted him.

I have the satisfaction to report that Lagos has enjoyed tranquillity since the expulsion of Kosoko and his party on the 13th ultimo, and that 25 of his canoes were captured by Akitoye's warriors on the 19th ultimo, and brought into Lagos.

On the morning which succeeded Kosoko's defeat, he was deserted by 7 Accra boatmen, who represented to me that 14 of their companions, mostly natives of the British protectorate on the Gold Coast, were detained at Lomoe (Jaboo of the charts) by João Jozé de Lima, denounced to the squadron of Her Majesty s Consul at Bahia as the principal slave-trader on this coast.

I therefore proceeded thither on the 28th, and after some trouble and the use of menaces, I succeeded in getting these 21 persons liberated under a protest from the aforesaid slave-merchant. I set them on shore at Lagos.

On my return from a cruize on the 8th instant, I was informed by the Consul, that a division of Kosoko's canoes were in sight off Lagos, on the Lake, stopping the trade, and cutting off supplies of provisions; and earnestly requested me to make a demonstration against them. I therefore entered the river on the 9th instant with the boats of this ship, and those of the "Waterwitch" and "Athol," and being joined by the war-canoes of Lagos, tracked the marauders into a narrow creek, up which I forced my way with grape, canister and musketry for about a mile, the enemy making a very respectable defence till driven out of a village called Madjidoo into the interior, abandoning a great number of canoes, which were captured or destroyed by our Black allies, and the village committed to the flames.

Commander A. H. Gardner, of H. M. ship "Waterwitch," Lieutenant W. Strickland, of this ship, Lieutenant H. B. Johnstone, of the "Waterwitch," and all the officers and men under my command deserve my best thanks for the steady and determined support they rendered me, and the perfect style in which their boats and guns were worked in single column up a very narrow creek, against the fire of foes hardly to be seen through the cover.

A seaman of this ship, and a private marine of the "Waterwitch," were wounded by the enemy's fire, but not dangerously.

It is my intention to send a copy of this despatch to the Secretary of the Admiralty.

No. 127.

Rear-Admiral Bruce to the Secretary to the Admiralty.—(Received October 25.)

Sir, "*Penelope*," *off Loanda, July* 19, 1853.

I TRANSMIT herewith the Journal kept by Commander George A. Seymour, of Her Majesty's sloop "Firefly," as senior officer in charge of the north division of the squadron under my orders, between December 1852 and May 1853.

I have, &c.
(Signed) H. W. BRUCE.

Inclosure in No. 127.

Journal of Commander G. A. Seymour.

DURING the period of my having charge of the north division, I have every reason to suppose that no slaving has been carried on to the northward of Sierra Leone, although I apprehend that in the rivers Pongas, Nunez, and among the Bijouga Islands, forming the entrance to the rivers Grande, Bololo, and Jeba, slaves might be procured, if facilities were afforded for shipping them.

The trade of the Nunez being now almost entirely in the hands of the Belgians, is, I think, in some measure preventive of the Slave Trade. In the Pongas there has lately been a civil war, which has been a stoppage to almost all trade; in this river there is a greater desire manifested for the inhuman traffic than in any other. Having, by order of the Commander-in-Chief, entered the Pongas, to inquire into the circumstances connected with the destruction of a factory, gave me an opportunity of learning much about the former slaves against their masters; these runaway slaves have set up a community among themselves, and have defied and often defeated their former Mahomedan and Foulah masters,—a germ of freedom which is likely to spread and produce a new feature in this river.

Among the Bijouga Islands, leading from the north to the Portuguese establishments of Bissao, and from the south to the Island of Bulama, the locality presents great facilities for slaving, but during my period here I have not heard of, nor do I think any has been carried on; at Bissao I have no doubt the will is strong, but the attainment of their object is difficult, and facilities few.

The Portuguese establishments are so much in the power of the natives, not being able to protect themselves, that, from all I have heard and seen, Bissao will again return to a native village, after having been so long a time the possession of the Portuguese; their soldiers and slaves often desert to a Pepel village within a few hundred yards of their fort, and such is the weakness of the garrison that they are unable to recover them, nor will the Pepels or natives allow them to be taken.

The inhabitants of the islands, and also those on the mainland, are most warlike, and always ready for contention; but the little intercourse we have had with them, viz., watering at the Island of Kanabak, &c., we found, with a little management, they were tractable.

To the southward of Sierra Leone, the canoe-traffic in young slaves from the Sherbro river to the Bullam shore, and further northward, has been stopped by the means taken by our cruizers up the Sherbro river, and by the influence of the Chiefs Caulker and Tucker, so it is reasonable to suppose that slaving in that quarter is at least paralyzed for the time, and it is to be hoped never to be revived.

Crispo, the great slave-dealer at the Sherbro, having lately been given up to the Governor of Sierra Leone, may be adduced as a proof of their sincerity.

The climate, seasons, best places for watering, &c., are so truly described in the book of sailing directions, that it would be only repetition on my part to mention them here.

Respecting commerce, I should say only from my own observation, that at Sierra Leone it was yearly improving; a new article, ginger of a coarse quality, is now exported I am told to England, and largely to America, the ground-nut is the staple article of export, which is collected from the country adjacent.

At the small island of Matacong, out of the jurisdiction, but in treaty with the Colony of Sierra Leone, and in possession (by tenant right) of a merchant of the name of Isaacs, there are annually from 27 to 38 vessels, mostly French, laden with ground-nuts from this island, averaging from 150 to 200 tons each. The ground-nuts are brought to Matacong for shipment from the country between the Isles de Los and the Rio Pongas, the trade is almost entirely confined to Marseilles.

At the Gambia I was told that commerce was increasing; on visiting Portendik lately, I found that the palm-tree which formerly was there, had either been destroyed or blown down; the only guide now to the place is the latitude, as the same feature of coast continues for a considerable distance.

The African climate, and its effect on European constitutions, has been already so well described by much abler persons than myself, that it may appear presumption on my part to offer any remark; but for the health of a ship's company, from long experience, I should say avoid rivers; but should duty require, that all employed should have free use of quinine early in the morning, as little exposure as possible to either the night dews or meridian sun, and if in the rainy season, or at any other time, good ventilation and dry clothes.

I may add that several vessels with the Spanish flag have made their appearance in the river Nunez, and I believe also in the Pongas and at Sierra Leone.

We boarded a small felucca off Portendic, of about 20 tons, from Gibraltar, said to be bound to Goree, for which place she had cleared out. On my arrival at Goree, however, some short time afterwards, nothing had been seen or heard of her; I therefore conclude she was dishonest, or, at all events, very suspicious.

13th May, 1853, transferred all papers connected with the north division to Commander Henry Need, of Her Majesty's ship "Linnet."

(Signed) G. A. SEYMOUR.

No. 128.

Rear-Admiral Bruce to the Secretary to the Admiralty.—(*Received October* 25.)

Sir, *"Penelope," off Lagos, August* 15, 1853.

I TRANSMIT herewith a copy of the Journal kept by Commander C. G. Phillips, of Her Majesty's steam sloop "Polyphemus," as senior officer in charge of the Bights division of the squadron under my orders between April and June, 1853.

I have, &c.

(Signed) H. W. BRUCE.

Inclosure in No. 128.

Journal kept by C. G. Phillips, Esq., Commander of Her Majesty's Steam Sloop "Polyphemus," and Senior Officer of the Bights, from 25th of April to the 30th of June, 1853.

MONDAY, April 25, 1853, proceeded under steam and sail from Cape Coast Castle for the Bights, leaving there the "Ferret," from which, and the "Britomart," I had received the orders, &c., pertaining to the duties.

The irruption of the Ashantees into the Cape Coast territories had terminated, and the two border Chiefs, Chebo and Gabriel, had been decapitated in presence of Governor Hill, Captain Heseltine, and about 13,000 natives in British alliance, some eight or ten days previous.

Received information that a Sardinian had landed dollars at Elmina Chica to purchase slaves for a vessel expected from Cuba.

The facilities and difficulties presented by the coast, and means of communicating with interior:—My experience is confined to a few weeks of the rainy season. At times (once or twice a week, perhaps), the canoes get off to the shipping, and Lagos bar is practicable, to those well acquainted with it, two or three times a week. Several fatal accidents have happened.

A mate, drowned somewhere about Jaboo; two white men and a cargo-boat, near Porto Novo; some Sierra Leone people landing from the packet on Lagos bar, the purser of the mail-packet "Faith," and nine of the "Waterwitch's" kroomen, passed the bar of Lagos after dark of the 30th, and are not yet heard of.

Boats should always have an anchor and cable, particularly during the "freshes," off Lagos.

The assembly of slaves for foreign trade.—I have reason to think that they are kept in small lots, and assembled at or near Secco, three miles to leeward of Aghwey. I have been assured that the only barracoon existing at present is at Whydah.

The shipment of slaves for foreign trade.—The "*Jasper*" took away 350 from Secco about 18th March, a Spanish barque 600 a month later from the same place; the slaves went on board willingly. A brigantine is said to have got off with a cargo between 18th and 27th May. The most suspicious place at present is certainly Aghwey. Lately, I think the slavers come over fully equipped.

The Sardinians are bound not to sell their ships on the coast of Africa.

I have been cautioned about vessels having a ground tier of water, provisions above, and trade rum on top; and that slaves are supplied with water from any vessels lying near, a doubloon a cask sometimes paid.

The names and plans of dealers.—Auguste Amadie (Hungarian), formerly in the employ of Domingo Martinez, has been expelled from Lagos for slave-trading, and is said to have proceeded to Aghwey. I have no knowledge of their plans. Money would, doubtless, purchase information sometimes. A mischievous monopoly exists along their coast of the labour of the canoemen.

The best points for stationing cruizers.—Blookoos to Whydah, Lagos to Jaboo, Cape Formosa to Princes.

The means of cruizers obtaining supplies.—Of water I have nothing to add to what my predecessors have reported. Bullocks can be purchased at Blookoos, and there is a market every three days at the adjoining village of Aguijah. The monthly packets afford an obvious opportunity of victualling the cruizers from Sierra Leone.

The peculiarities of the climate, and the habits and dispositions of the natives both on the coast and in the interior.—The month of June, 1853, was remarkably pleasant and healthy; a good deal of rain fell, and smart squalls from S.W. No calms. Health of the crew visibly better. Nothing known of the natives. The mail company should be compelled to land the goods of the emigrants they carry to Lagos. The monopoly of the canoes is injurious to public interest.

The beachmen at Whydah and elsewhere dare not communicate with us without leave of their masters.

Aghwey appears to have most of the English trade at present; Lagos, the Hamburg; Whydah, the French; Porto Novo, the Genoese.

(Signed) C. GERRANS PHILLIPS.

No. 129.

Rear-Admiral Bruce to the Secretary of the Admiralty.—(*Received October* 24.)

Sir, *"Penelope," off Lagos, August* 15, 1853.

REFERRING to former correspondence, particularly to my despatches of this year, I request you will lay before my Lords Commissioners of the Admiralty the accompanying copy of a letter from the Rev. H. Townsend of Abbeokuta, conveying the pleasing intelligence of peace having at length been effected between the Egbas and Ados.

I have, &c.

(Signed) H. W. BRUCE.

Inclosure in No. 129.

The Rev. H. Townsend to Rear-Admiral Bruce.

Sir, *Abbeokuta, August 6, 1853.*

I HAVE much pleasure in informing you that the Egba army, encamped before Ado, has been withdrawn, and peace made between the parties, in answer to our frequent attempts to induce them to do so. Myself and Mr. Crowther, by request of both parties, went to the camp and mediated between them, and on the business being concluded the Egbas set fire to their own camp and set off without an hour's delay for Abbeokuta.

The Egbas proposed to the Ados to remove their forces from before Ado, on condition that the Ados would ensure a safe road through the Ado country to all Egbas and Europeans, and all others wishing to travel to or from the Egba country to the sea; and providing also that they left the various towns, as Badagry, Amodan, and others in friendly alliance with the Egbas, unmolested.

It was further stated, that previous to a final adjustment of their affairs with the civil rulers of Abbeokuta, the Ados should close the gates of their town to all Egbas, and no commercial intercourse should take place. These proposals were assented to by the Ados.

The King of Porto Novo's messenger was present with the Ados, as on him the Ados leaned in their distress. He, in the name of his master, earnestly begged us to bring Possu back to Badagry, and move Mayo away. To this we replied, that as Possu had, by attacking a British merchant's house, made himself an enemy to the British Government, no unauthorised British subject could have anything to do in his case; that his application must be made by himself to you. As neither the Ados nor the Egbas had said anything about Possu, this did not in the least interfere with the adjustment of their peace. We found Ado well protected according to native means, with a wall on which were erected small elevations, or towers, at convenient distances from each other, and a dry ditch on the side exposed to attack; but a morass still better defends it on the back. The one only entrance exposed to attack was defended by three walls; there were a large number of resolute-looking men, for the most part armed with muskets, in the town. The Egbas passed over the wall several times, but for want of proper concert in their attacks, and efficient leaders, those who entered were driven back, not being supported. It appears to me, in their warfare generally, in this part of Africa, there is no want of personal courage in the men engaged, but a great want of an efficient leader or leaders, and discipline. We cannot ascertain how many are killed in such attacks, but the loss of life is certainly not small; many persons of note among the Egbas have been killed or wounded, we saw several of the latter in the camp.

I have, &c.
(Signed) H. TOWNSEND.

P.S. I should have observed that the Ados were very thankful. We endeavoured to show them that neither their idols (of which they have one that is very celebrated) nor white men, but the one true God, had wrought this deliverance for them. We reproved them for rejecting the late Captain Forbes' efforts for their good; they said they did it in their ignorance, which, I doubt not, is true.

No. 130.

Rear-Admiral Bruce to the Secretary of the Admiralty.—(Received October 25.)

Sir, *"Penelope," off Lagos, August 15, 1853.*

I HAVE to report for the information of the Lords Commissioners of the Admiralty, that feeling doubtful of the safety of Lagos, I proceeded from the south part of the station, and reached this anchorage on the 12th instant. I found here the "Polyphemus" (returned but the night previously from the duty which had fallen to Commander Phillips, of towing the mail steam packet "Faith" to Sierra Leone) and "Waterwitch," and I was informed by Commander Phillips, that great disturbance prevailed in the town of Lagos, two of King Akitoye's chiefs having risen in open rebellion against him; that Commander Gardner was up the river for the protection of British interests; and that he was about to proceed as soon as the bar should become practicable, with his armed boats for the same purpose.

In the course of three or four hours, Commander Gardner, having seen the "Penelope" arrive, hastened down the river and informed me of the portentous state of affairs at Lagos; that general consternation prevailed, and that the dispossessed chief, Kosoko, with a multitude of armed men and several large war-canoes, was within a few miles from the place; upon this I entrusted Commander Phillips with the armed force of the boats of the three ships, "Penelope," "Polyphemus," and "Waterwitch," supported by Commander Gardner and Acting-Commander Leikie, Lieutenants Strickland, Curtis, and Ruxton, and despatched him on the 13th to Lagos, to support and protect the English and the King Akitoye, and should Kosoko come within reach of his means to capture him. On entering the river, Commander Phillips was informed that Kosoko and his people had made good his footing in the town,

and in conformity with his instructions, he immediately opened fire upon the house and position where they were known to be, and so effectually dislodged them by a few shot and shells that they all at once fled, and the two insurgent chiefs, Aginea and Pelloo, and night coming on favoured the escape of their canoes, which conveyed them away beyond our reach.

I am happy to state that this service has been executed by Commander Phillips with that spirit and energy which distinguish him, and without a loss or casualty on our side; and by four p.m. on the 14th, the boats had all returned to their ships.

I have confidence in the superior intelligence, good judgment, and knowledge of the African character conspicuous in Mr. Consul Campbell, that his appointment will be productive of nothing but good, and that his advice will serve to allay the ferment which he found Lagos in, and which had been, if not raised, certainly fostered and increased, by the injudicious or mischievous lessons taught by his immediate predecessor, Mr. Fraser, who was encouraged in his tortuous course by at least one resident English merchant.

I subjoin a copy of Commander Phillips' Report.

I have, &c.
(Signed) H. W. BRUCE.

Inclosure in No. 130.

Commander Phillips to Rear-Admiral Bruce.

Sir, *H.M.'s Steam Sloop "Polyphemus," Lagos Roads, August* 14, 1853.

YESTERDAY evening, the force you did me the honour to place under my command arrived off Lagos, which I found in terror and confusion, in consequence of the usurper Kosoko having, by the treachery of the Caboceers, A'Pellu and Aginea, established himself in force within musket-shot of the quarters of our ally, King Akitoye.

The delay of a night would have deprived humanity of the fruits of the brilliant operations made under your orders in December, 1851; and your instructions of the 31st August, 1852, rendering my line of conduct clear, I got the boats into position as fast as they came up, and just as darkness set in opened on the enemy's position with shot and shell; a few minutes sent them flying out of it, and Akitoye's friends, deriving encouragement from our very forcible demonstration, fired their buildings, seized much of their property, and by daylight had driven them off the island, with such a loss of killed, wounded, and captives, as will, I hope, remove the impediments that have so long existed to deprive Lagos of the advantages our country has been striving to secure it.

By 2 P.M. on this day, Akitoye's authority was so completely restored that I was enabled to direct the boats to return to their ships.

The local experience of Commander Gardner, of the "Waterwitch," was of the greatest assistance to me, and the conduct of the officers and men engaged with me was such as deserves my thanks and acknowledgments.

I have, &c.
(Signed) C. GERRANS PHILLIPS.

No. 131.

Rear-Admiral Bruce to the Secretary to the Admiralty.—(Received October 26.)

Sir, *"Penelope," Mayumba, September* 3, 1853.

I TRANSMIT herewith, to be laid before the Lords of the Admiralty, a copy of a letter and its inclosures from Lieutenant H. B. Beresford, commanding Her Majesty's brig "Spy," reporting his having detained the Portuguese schooner "*Aguia*" off Aghwey, on the 4th June last, and sent her for trial before the Mixed Commission Court, at St. Paul de Loanda, on the ground of being equipped for the Traffic in Slaves.

The "*Aguia*" is one of the vessels noted in the Return inclosed in your letter of the 18th June last, as having sailed from Bahia for the coast of Africa on the 24th February, 1853.

I have, &c.
(Signed) H. W. BRUCE.

Inclosure 1 in No. 131.

Lieutenant Beresford to Rear-Admiral Bruce.

Sir, *H.M.'s Brigantine "Spy," off Ahgwey, June 6, 1853.*

I HAVE the honour to report for your information, that whilst cruizing along the coast I had intelligence that a schooner off Aghwey was about to start with a cargo of slaves. I immediately sailed for that place, arriving there shortly after daylight on the morning of the 4th, where I found four vessels, two barques and a brig (English), and the Portuguese schooner "*Aguia*." Having boarded the latter, I was informed by the boarding officer that he considered her highly suspicious, and I then stood in and anchored and went on board myself, when I found that she had evidently an illegal cargo on board, consisting in the first place of an extraordinary quantity of Indian corn, more than sufficient for consumption of her crew; 2nd, a large quantity of matting; 3rd, a great number of calabashes or kits, used instead of the tin cans for the negroes; her hold was divided into three or four partitions, the foremost one being quite clear and matted over; all these being in defiance of the Slave Treaty signed between Great Britain and Portugal (vide page 603 of the Slave Instructions). On asking for his papers, I was informed that the captain was on shore; and having sent for him, he came off in about two hours, when I told him that his vessel had an illegal cargo on board, and in my opinion was fitted for the purpose of the Slave Trade; and on showing him my instructions he said nothing more. I then asked for the supercargo, to whom the vessel was consigned, but he never came near the "*Aguia*" to make any explanation, although a quantity of dollars, some gold-dust and jewellery belonging to him were on board. On referring to the boarding-book, I found that she had been visited by the "Spy," on the 7th May last, off Lagos; she had then a cargo of tobacco and rum which she was discharging, and had also taken a considerable quantity of palm oil on board, which he positively asserted to the boarding officer was to form her cargo for the Brazils; I also whilst on board heard him acknowledge this, giving as a reason for altering his cargo, that he had received a letter from his owners to take out his palm oil, and fill up with Indian corn for the Brazils, but which letter he could not produce; as to the mats, calabashes, &c., he had no other excuse to make, than that they had been sent on board by the supercargo. Under these circumstances, having received no explanation from the supercargo, I determined on detaining the vessel, and have sent her this morning in charge of Mr. Kidd, acting mate, and nine men, to St. Paul de Loanda for adjudication. The captain is a Portuguese, the man in command whilst he was ashore is a Spaniard, and the rest of the crew, consisting of twelve other men, were Portuguese, Brazilians, and Africans. During the search the crew being told that some of them would be taken on board the "Spy" for the security of the prize crew, and that the remainder would be sent to St. Paul de Loanda, quitted the vessel.

The "*Aguia*" is apparently and by report a very fast sailing vessel, tonnage 105. I beg leave to inclose a list of her crew.

I have, &c.
(Signed) H. B. BERESFORD.

Inclosure 2 in No. 131.

NAMES of the CREW of the Portuguese Schooner "*Aguia*."

Rank.	Names.	Birth-place.
1 Capitade Pte.	Antonio Alves de Amorin	Porto.
2 Contrame.	Carlos Pereira dos Santos	Ditto.
3 Lob. Carga	Antonio Viera da Silva	Ditto.
4 Practice..	Manoel de Costa Silveira	Ditto.
5 Ditto	Puliao Felic de Sousa	Ajuda.
6 Cozinheiro	Ettra	Africa Pieto.
7 Mare.	Manoel José Lopez	Ovar.
8 Ditto	Manoel Huir	Jde. de Vincent.
9 Ditto	José Joaquim	Porto.
10 Ditto	Joaquim Pedro	Lisboa.
11 Ditto	Marcelino Francisco	Manilha.
12 Ditto	Ambrozio Vievrado Carmo	Braz Penedo.
13 Moco	Jude José da Silva	Babia.
14 Ditto	Antonio Correa	Vigen.

(Signed) ANTONIO ALVES DE AMOZIN.

Inclosure 3 in No. 131.

RETURN of all Vessels detained by Her Majesty's Brigantine "Spy."

When Boarded	Where, Lat. and Long.	Name of the			How Rigged.	Under what Colours.	Where			To whom Consigned.	No. of Days out.	Number of			Nature of Cargo.	Number of Slaves on Board.	Where shipped.	Where sent for Trial.	Name of the Proctor.	Name of Agent in London.	Intelligence.
		Vessel.	Master.	Owner.			From.	Bound.	Belonging.			Men.	Guns.	Tons.							
1853. June 4,	Off Aghwey	"Aguia."	Antonio Alvez de Amorin	Manuel D. Lopez Vianna	Schooner	Portuguese	Bahia—having called at several places along the coast	To the Gold Coast, and from thence to the Brazils	Lisbon	Antonio de Silva, (Supercargo)	...	14	2	105	Indian corn, matting, calabashes, and a large quantity of firewood, &c.	None.	...	St. Paul de Loanda	...	Case and London-sack, 1, James St., Adelphi	In addition to the cargo already mentioned, she has a great quanty of trade cloth, skins, &c., in cash, about 700 dollars, gold-dust about 49 ounces, besides some jewellery.

June 4, 1853.

(Signed) H. B. BERESFORD, *Lieutenant Commanding.*

No. 132.

Rear-Admiral Bruce to the Secretary to the Admiralty.—(*Received October* 28.)

Sir, *"Penelope," at Ascension, September* 16, 1853.

WITH reference to your communication of 23rd May last and its inclosures, I request you will inform the Lords Commissioners of the Admiralty, that in my opinion there is no reason to doubt the truth of the statement which will be found in a letter from Akitoye, King of Lagos, transmitted in my despatch of this year, to the effect that the woman claimed from him, ran away from the Chief Tappa and begged his (the King's) protection.

It is a strict point of honour with all the African nations not to give up those who claim an asylum, and I see no reason why Akitoye should in the present instance be called upon to deviate from this humane principle.

Akitoye's adherence to the Treaty of January 1852, and the desire constantly shown by him to conform to the wishes of the agents of the British Government for the prevention of a renewal of the Slave Trade, are highly creditable to him; but I regret to say, that his want of energy necessary to the support of his position as the chief of a half-savage people is becoming more and more apparent, bearing out, unfortunately, the first impressions I formed of his character, which I had the honour to make known to their Lordships in my despatches of 1851 and 1852.

When I left Lagos last month, Akitoye had determined to expel a number of Portuguese whom he had detected trafficking in slaves; this salutary measure, and the advantages that may be expected from the presence of Mr. Consul Campbell, will, I am in hopes, lead to a more satisfactory state of affairs than has hitherto existed there.

I have, &c.
(Signed) H. W. BRUCE.

No. 133.

Rear-Admiral Bruce to the Secretary to the Admiralty.—(*Received December* 2.)

Sir, *"Penelope," Ascension, October* 5, 1853.

BY the accompanying despatch, a copy of which has been already forwarded to you by Commander Phillips, the Lords Commissioners of the Admiralty will be informed of the death of Akitoye, King of Lagos, and the election of Ducimo, his son, to fill his place. It will also be seen that Kosoko still carries on hostilities against Lagos, and that Commander Phillips, assisted by Commander Gardner, with the boats of the "Polyphemus" and "Waterwitch," has inflicted a severe punishment on his party, in capturing a number of their war-canoes and burning one of their villages; the manner in which this service was performed is most creditable to both the commanders mentioned and to the officers and men under their orders. I esteem myself fortunate, that in the difficulties which have lately beset Lagos, I should have been able to entrust during my absence the principal duties devolving upon the Bights division of the squadron to an officer possessed of such sound judgment, energy, and gallantry, as Commander Phillips. His proceedings, referred to in my letters of 1852 and 1853, with this Report, cannot I am sure fail to be gratifying to their Lordships.

The assistance which Lieutenant Strickland is now rendering to the people of Lagos (as reported in the annexed extract) will be very useful to them. If their Lordships see no objection, I would suggest that the 3-pounder gun landed by Commander Phillips be made a present to the young King: he requires encouragement from us, as the slave-trading party has not even yet relinquished the hope of regaining their ascendency and renewing the Traffic in Slaves.

It is pleasing at this moment to observe that Ducimo has shown his desire to act honestly up to his father's Treaty, by seizing a quantity of oil belonging to two people who had determined to set that Treaty at defiance.

I have, &c.

(Signed) H. W. BRUCE.

Inclosure in No. 133.

Commander Phillips to Rear-Admiral Bruce.

(Extract.) *September* 17, 1853.

SINCE my last Report of proceedings, under date 11th instant, a copy of which I sent to the Admiralty per packet, the "Polyphemus" has continued at this anchorage. Lagos continues undisturbed; the young King Ducimo has filled up sundry offices vacated by death or desertion. The place seems in no want of provisions, and I am informed there are 15,000 gallons of oil in the factories.

Lieutenant Strickland and ten Kroomen are employed on shore, superintending the completion of a wall and ditch, and other works, for the defence of Lagos.

They have a 3-pounder rocket-tube and the field-piece, which would, I doubt not, secure the place till boats could get in, should Kosoko repeat his attempts upon the place.

As I am about to close this, Lieutenant Strickland reports that the King Ducimo has seized the 15,000 gallons of oil at the Point, as the property of Coito and Gil, who have set his authority at defiance, and disregarded his notice to quit by a given time; a measure which has my unqualified approval.

No. 134.

Commander Phillips to Rear-Admiral Bruce.

Sir, "*Polyphemus*," *October* 16, 1853.

BEFORE detailing the particulars of my recent operations against Kosoko and the party of expelled slave-traders who are trying to revive the accursed Traffic, I respectfully beg to draw your attention to the accompanying representation and requisition of Her Majesty's Consul at Lagos.

I now proceed to report, that I crossed the bar of this river on the 10th instant, with the armed boats of "Polyphemus," "Waterwitch," and "Alecto," detailed in the inclosed Return; Commander A. H. Gardner, of "Waterwitch, again giving me his valuable services as second. Commander Crofton, of "Alecto," was most anxious to join me, but I considered his presence necessary with the ship.

Proceeding in an easterly direction from Lagos across the Lake Cradoo, and accompanied by a crowd of the Lagos warriors in canoes, we had the satisfaction of destroying a market just opened by Kosoko for the avowed purpose of Slave Trade, at a place called Eginna, five miles from Eppi, the town which Kosoko has occupied since his expulsion from Lagos.

This town is built around a conical hill, 200 or 300 yards from the north shore of a fine river 45 miles east by north of Lagos, but is so masked by thick forest and jungle that but a glimpse of any habitation was visible; it has three narrow landing-places cut through the bush, and defended by stout stockades with stakes closely driven in the water in front, with well-planned interior intrenchments.

October 11th, at 4.15 P.M., the boats opened fire on the three positions, and the Lagos warriors, with a few Abbeokutans, effected a landing at the western landing nearest the town, which is its market, but were soon forced back by a sally from the trenches and ambuscades in the rear, the boats pulling in under a heavy fire to cover their re-embarkation, and then driving the enemy back to their entrenchments. Our Black allies re-formed and again advanced, but were again driven back to the protection of the boats. This was continued until near sunset, when we landed out of musket-shot for the night.

Probably near 1000 Egbas (Abbeokutans) joined us during the night; and at 7 A.M. of the 12th October, the native Chiefs having decided to repeat the attacks on the market-place, the boats advanced to cannonade it, a division acting against a stockade to the right as a diversion. Some rockets

were well thrown by Mr. Davidson, gunner, of the "Waterwitch" (whom I desire especially to recommend to your notice), two or three conflagrations took place, and I gave the preconcerted signal to advance; but, with few exceptions, it was entirely disregarded by our Black allies. My brave officers and men were, one and all, recklessly exposing themselves. The Abbeokutans, unaccustomed to war on the water, remained distant spectators of the rest of the contest, notwithstanding the endeavours of Commander Gardner and his gunner to get them forward. Some of the Lagos people seconded our endeavours to open the way for them; the market was burnt; No. 2 stockade breached, some canoes cut out, and the fire of a heavy gun, which the enemy had cleverly brought forward and fired with effect, silenced; and by 10 A.M., having inflicted a sharp chastisement on the enemy, I called the boats off, and covering the retreat of our Black allies, returned down the river, arriving on board on the 14th.

I regret to have to report the loss of two gallant fellows who were shot dead from the enemy's defences: singularly enough, the whole loss fell upon the "Alecto."

I must now represent to you the admirable coolness and contempt of danger displayed by every officer and man under my command, even to the Kroomen; all had to work under a heavy and well-directed fire from enemies rarely seen and strongly sheltered, to rescue and rally our flying allies. I will not particularize any officer, but refer you to the accompanying list; but those gallant gentlemen will, I am sure, be pleased by my recommending the self-devotion of Acting-Surgeon of "Alecto," Charles S. Hugo, who, though debilitated by long service in this climate, cheerfully and well performed the duties of medical officer to the force.

Commander Gardner has now three times seconded me in operations for the security of Lagos and checking the revival of Slave Trade, and again I have to report how ably and gallantly he has supported me; and although I am not able to report the dispersion of this numerous and determined horde of man-stealers, I hope a serious check has been given to their avowed intention to repossess themselves of Lagos.

I have, &c.
(Signed) C. G. PHILLIPS.

Inclosure 1 in 134.

A List of the Force Employed against Kosota at Eppi, on the Lagos River, on the 11th and 12th October, 1853, with a return of the Killed and Wounded.

Ships' Names.	Boat.	Officers.	Killed.	Wounded.
Polyphemus	Pinnace	Commander C. G. Phillips, Commanding Expedition.		
	Paddle-box Boat	Commander A. H. Gardner. Mr. J. Scott, Gunner. Mr. R. E. Tracy, Master's Assistant.		
Alecto	Pinnace	Acting Lieutenant H. Moore ..	Henry Leese, Boatswain's Mate.	
	Paddle-box Boat	Mr. Robt. B. Cay .. .. .. Lieutenant J. D. McCrea.	Wm. Taylor, Blacksmith ..	Wm. Cole, Mariner (slightly). James Fenn, Ordinary (dangerously).
Waterwitch	Pinnace	Lieutenant T. D. Curtis.		
	Cutter Rockets	Mr. Davidson, Gunner.		
	Gig	Mr. Shore, Midshipman. Mr. C. S. Hugo, Acting Surgeon.		

Inclosure 2 in No. 134.

Consul Campbell to Commander Phillips.

Sir, *Consulate, Lagos, October 5, 1853.*

SINCE your departure for Fernando Po, two letters have been received from Epi, purporting to have been sent by Kosoko and his Caboceers; one letter was addressed to you, which I handed to Lieutenant Strickland, the other was addressed to me; these letters were brought by two Gold Coast canoemen; they brought no stick or other symbol from Kosoko or his Caboceers, to authenticate the letters as coming from them; the messengers had only a stick belonging to Conto, one of the expelled slave-dealers; on questioning the messengers, one of whom speaks fair English, it appears they had never been to Epi, nor seen Kosoko and the Caboceers; that the letters were given to them to bring here by Conto.

As the letter to me, dated 24th September, stated on the part of Kosoko and his Caboceers, that they had resolved to draw back all our canoes in six days, and let the commerce of the markets of Aboye and Icorodo open as they have been formerly; and as more than the six days had expired, and we still heard of their war-canoes being seen, and chasing those of Lagos and Abbeokuta; this, with other circumstances, threw in my mind a doubt on the authenticity of these letters, and impressed me with the notion that they had been written by Lima and Conto, and that party, to serve some purposes of their own. Three days since I was confirmed in my suspicions, from the fact of the war-canoes of Kosoko's party catching five Oboye people while crossing between their town and Lagos, and chasing some Abbeokuta canoes, the people in which fortunately reached the shore, but the canoes and cargoes fell a prey to Kosoko's people.

Under these circumstances I have declined noticing the letter I received by these messengers, purporting to be from Kosoko to his Caboceers.

It is now my duty to inform you, that it is not safe for any canoes to traverse the Lagoon two miles from Lagos; that the Abbeokuta trading-canoes have ceased to visit this market, and that trade is entirely at a standstill; no other people in the Lagoon can compete with the numerous large war-canoes of Kosoko and his Caboceers.

I learn that the Egbas are tired of having their trade with Lagos interrupted, their canoes and property captured, and their countrymen killed by Kosoko's party when they venture to this market, and that they are anxious to attack Epi in considerable force by land, and are determined also to assist the King and Chiefs of Lagos in breaking up the port of Jabo, where the slave-traders, driven from here, have taken refuge; as they not only strengthen Kosoko's hands, incite him constantly to attack Lagos, and to revenge himself on the English; but the opening of a port there (part of the territory of Lagos) deprives the King of Lagos of considerable revenue, and transfers it to Kosoko. Proud of his acquisition of the outcast slave-dealers, Kosoko has sent messengers to the Jabo country, to announce that the Slave-Trade is again open; he has announced the same to Abbeokuta, and has thereby created some dissension among the Chiefs there; for there are some favourable to the Slave Trade even at Abbeokuta. One means the refugee slave-traders have, through Kosoko, of revenging themselves for their expulsion from Lagos, is by secret incendiarism at night; and the Consulate, the Church Missionary-house, the stores on the beach, and Signor Scala's residence, are marked out to be fired. The Consulate is so exposed to this kind of attack, from its being thatched, and surrounded by thatched walls and close to the water-side, that it will be imperative on me to remove from it for the sake of preserving the archives and my books and papers, unless the power of Kosoko is broken, and his numerous large war-canoes, by which he can stealthily, and in one night, transport a large body of armed men, and by break of day commit havoc and mischief on Lagos, and then retire.

Seeing clearly that Kosoko and his Caboceers, now strengthened by the Slave-Traders, and bribed and urged on by them, will not only prevent all trade with Lagos, but will eventually compel the English to retire from the place; and that their retirement being followed by that of the King and all his Chiefs, would leave Lagos open for Kosoko to walk in again, seat himself in power, and commit most frightful acts of slaughter among the Sierra Leone emigrants, and those inhabitants who could not escape; that such an event would frustrate the great efforts Her Majesty's Government has already made to put down the Slave-Trade at Lagos, discourage all those Chiefs who, having made Treaties with Great Britain for the suppression of the vile Traffic, are willing to aid her in bringing about so desirable an object, render the position of the missionaries at Abbeokuta and other parts of the country extremely insecure; and on the part of those Africans who have been led to feel a confidence in the very presence of an Englishman amongst them, destroy that prestige through which they have always found a welcome from the well-disposed wherever they have settled in Africa for the purposes of their peaceful commerce; I feel it my duty to submit to you, Sir, as the senior officer of the Bight's division, having now a respectable force at your command, the propriety, if not the necessity, of aiding the King and Chiefs of Lagos, and the Chiefs of Abbeokuta, to rid the Lagoon Lake and rivers of the piratical attacks of Kosoko with his war-canoes, and by breaking the power of this cruel and troublesome monster (for he now decapitates every one known to be favourable to Lagos who falls in his power), restore peace to Lagos and the countries around, render the immense inland navigable extent of this part of the coast secure to peaceful commerce, strike a blow to the Slave Trade, impart confidence to the well-disposed, cause great discouragement to the slave-traders, and by rendering Lagos secure, enable me to proceed to other districts in my Consulate, to bring about a pacification between the contending Chiefs, the root and cause of whose differences are to be traced to the Slave Trade.

I have, &c.
(Signed) R. CAMPBELL.

No. 135.

Commander Phillips to the Secretary to the Admiralty.—(Received December 2.)

"*Polyphemus*," *off Lagos, Bight of Benin,*
Sir, *October* 28, 1853.

I HAVE the honour to inclose the copy of a despatch I have this day addressed to Rear-Admiral Bruce, whose arrival on this part of the station will probably not occur till the departure of the next packet for England.

I have, &c.
(Signed) C. G. PHILLIPS.

Inclosure 1 in No. 135.

Commander Phillips to Rear-Admiral Bruce.

Sir, "*Polyphemus*," *off Lagos, October* 28, 1853.

ON the 25th instant, the forces of the King of Lagos, covered by the guns of this ship (which were not, however, fired), burnt a slave barracoon at Jaboo; it bore unmistakeable signs of having been very recently occupied by slaves collected for exportation by the Portuguese Confederation, under Kosoko's protection.

Several puncheons were also found, which had recently been used to confine human beings in; the store-houses of the establishment were also burned, but the residence of the slave-merchants being mined, the Lagos warriors were afraid to fire it. The slaves, amounting to about 400, from the accounts of prisoners taken, had been driven into the country on the appearance of the "Polyphemus."

The most important result of this expedition occurring out of sight of the ship, I quote the report of the Lagos Chiefs to the King on their return:—

"That they were opposed by about 600 of Kosoko's warriors, whom they drove through the jungle to the river-side, taking 100 of them prisoners.

"That six white slave-traders, recently turned out of Lagos, had killed with pistols three of their people; that five of these white men were killed, and that the others escaped, wounded, into the bush."

Further inquiry enables me to state, with certainty, that among the slain are, Antonio Jozé Joao, Marquis Marinha, Joaquim Jozé do Conto, Francisco Gil d'Aquia.

The notorious Joao Jozé de Lima, (Kosoko's chief engineer and artillerist) with one Rodriguez, escaped into the bush; J. de Baretti and Juan Avinca afterwards got on board a Sardinian; Joaquim Jozé de Ferreira, desperately wounded, was subsequently received on board this ship for surgical treatment. The force employed by the King of Lagos on this occasion were mostly Abbeokutans, who, exasperated by the atrocities Kosoko has recently exercised on their traders to Lagos, have come down in great numbers to its assistance.

I inclose a copy of the requisition made through the Consul for our co-operation, and

I have, &c.
(Signed) C. G. PHILLIPS.

Inclosure 2 in No. 135.

King Docimo to Consul Campbell.

Sir, *Lagos, October* 18, 1853.

AS I was urged by you to carry into effect the 5th Article of the Treaty concluded between your Queen and the King and Chiefs of Lagos, I have, after much trouble, and by compulsion, expelled the slave-traders who were at Lagos; but these slave-traders, who are friends of Kosoko, went with their ships and cargoes to Olomowewe (called Taba by the white people), because it is close to Epé, where Kosoko, Tapa, and the others, have taken refuge. Here they have revived the Slave Trade, at the same time making some palm-oil trade, for the sake of appearances; another thing made these slave-traders go to that place is, because Agenia and Pellew, who fled with Kosoko, owe them a great many slaves in payment for the muskets and powder they sold at Lagos to Agenia and Pellew, and their people, on credit, to be paid for with the people they expected to capture in the rebellion against my father. In order to get slaves, and to do all the harm they can to Lagos, the war-canoes of Kosoko and the others are continually catching the canoes and people coming from Abbeokuta to this market, and the Lagos canoes and people going to Icorodu market; only this day they seized eight out of ten Abbeokuta canoes leaving Abeye for Lagos, containing, it is feared, some native people belonging to the Missionary Institution at Abbeokuta. It is for this purpose that the slave-traders, who have gone to Olomowewe, are still supplying them with powder and muskets.

I have a great many Egba people here, willing to go by land to destroy the slave factories at Olomowewe, if you would get them assistance, as it is out of my power to do it alone, and I am suffering the loss of my revenue from the vessels that have landed cargo at Olomowewe, consigned to these slave-traders; and the deadly enemy of Lagos, Kosoko, is gaining that revenue, and a great deal more, by the presents he extorts.

I have to beg you, Mr. Consul, to call upon the Queen's commander to assist me in putting in force the 2nd Article of the Treaty, as I am without such assistance to expel the slave-traders. As a

proof of the intentions of the slave-traders that I expelled intending to carry on Slave Trade, besides the notoriety that they have already collected several slaves, they persuaded Kosoko to re-establish the old slave-market at Egini, near to Epi, which has been disused some years, and the late expedition, on the first day it was held, fired into and dispersed the people.

If you can procure me the assistance of one of the Queen's steamers, my force will be ready to go there when it suits the commander. The barracoons and buildings are, I am told, close to the sea.

I have, &c.

(Signed) DOCIMO.

Inclosure 3 in No. 135.

Consul Campbell to Commander Phillips.

Dear Sir, *Consulate, Lagos, October* 19, 1853.

I BEG to forward you a copy of a letter I received this day from King Docimo, relative to his intentions to despatch a force to break up the establishments of the slave-traders at Jabu in the territory of the Kings of Lagos.

As these establishments will be defended by Kosoko's forces, I hope that your instructions will enable you to afford the necessary assistance to King Docimo's people, in their attempt to destroy the barracoons and Slave Trade establishments at Jabu.

I have, &c.

(Signed) B. CAMPBELL.

No. 136.

Rear-Admiral Bruce to the Secretary to the Admiralty.—
(Received January 10, 1854.)

Sir, *"Penelope," off Lagos, November* 10, 1853.

I TRANSMIT herewith, to be laid before the Lords Commissioners of the Admiralty, the copy of a letter which I have addressed to the Chief of Badagry, in consequence of its having been represented to me that he was assisting the notorious Domingo Martinez in his slave dealings.

I have, &c.

(Signed) H. W. BRUCE.

Inclosure in No. 136.

Rear-Admiral Bruce to Mayo, Chief of Badagry.

Sir, *H.M.'s Sloop "Penelope," November* 7, 1853.

ON receiving the many applications that have been made to me to remove you from the office of Chief of Badagry, I have considered, not whether you are there as legitimate Chief, but whether you have acted up honestly and faithfully to the Treaty for the suppression of the Slave Trade in your country, and under the impression that you had fulfilled every stipulation of that Treaty, I declined to take any part against you. But reports have reached me recently, which convince me that I have been deceived in you, for there can be no doubt that you have assisted Domingo Martinez in his slave dealings, and detained many people who have from time to time been kidnapped from Lagos. I now give you warning that if you do not cease these practices, and employ all your energies to bring about peace with your neighbours, and encourage lawful trade in palm oil and other produce, I will send an expedition against you and remove you from Badagry.

I have, &c.

(Signed) H. W. BRUCE, *Commander.*

No. 137.

Rear-Admiral Bruce to the Secretary to the Admiralty.—
(Received January 12, 1854.)

Sir, *"Penelope," off Cape Coast Castle, November* 18, 1853.

I REQUEST you will lay before the Lords Commissioners of the Admiralty the accompanying copy of a letter from Mr. B. Campbell, with reference to the late disturbances at Lagos, and at the same time acquaint their Lordships that from the accounts which I have received from Mr. Freeman, a Wes-

leyan missionary who was very lately at Abomey, I do not think the King of Dahomey has any intention of renewing hostilities with Abbeokuta at present.

I have, &c.
(Signed) H. W. BRUCE.

Inclosure 1 in No. 137.

Consul Campbell to Rear-Admiral Bruce.

(Extract.) *British Consulate, Lagos, November 5, 1853.*

I HAD the honour to receive your esteemed letter of the 10th ultimo, from Captain Macdonald.

The disturbances which you found existing in Lagos on your last visit, appear to me to have originated, first, in Senhor Amadie being allowed to remain here when the other slave-traders were expelled from Lagos, for they sneaked back one by one to this place, and took up their quarters with Senhor Marco, and for a time kept themselves concealed. Secondly, in consequence of Mr. Fraser having taken no steps to obtain the re-expulsion of these men through Akitoye. On the contrary, Mr. Fraser became intimate with these people, associated with, and spent much of his time with them.

On looking over Mr. Fraser's book, containing his receipts of Consular fees, I find about the time these slave-traders returned to Lagos, that several Portuguese vessels, apparently from Whydah, visited Lagos, and carried away quantities of country plank, which Mr. Fraser very improperly certified were to be used for cask-headings—a purpose for which he could only have had the assurance of the people who shipped them they would be applied to. When the slave-traders returned to Lagos, the trade in palm oil was increasing rapidly; one market-town alone, Hedginee, situate on the Jabu side of the Lagoon, yielding, by all accounts, 50,000 gallons every nine days, and other market-towns, such as Scorrodoo and Abbeokuta, giving also at intervals of nine days, large and increasing quantities; numerous other small market-towns also contributed to swell the exportation from Lagos of this valuable production.

The slave-traders, however, no sooner got settled in Lagos, than they began to plot against Akitoye, and for the return of Kosoko, and they found ready instruments in the two Caboceers, Aginia and Pellew, to whom they pointed out the comparatively greater profits on the Slave Trade than on the trade in palm oil.

Aginia and Pellew then began to make overtures to Kosoko, and a correspondence was also established between the slave-traders and Senhor Lima, who was living with Kosoko.

The merchants of this place had dealings with Aginia and Pellew, and having trusted them and their fellows largely, sided with them.

The plottings of the Caboceers with Kosoko coming to the ears of Akitoye and his people, bickerings and disputes took place, and a squabble arising at the market of Hedginee between some Lagos people and Tappa's people, in which some wounds were inflicted and captures made, led to a breaking up or disuse of this market.

Akitoye at this time, with but one exception, had the whole of the white people, including Mr. Fraser, the two Caboceers and their numerous followers, and the Brazilian emigrants, influenced by the slave-traders, all against him, thwarting and opposing his authority.

A clear case of Slave Trading having been made out against a Mr. Amadie, Akitoye had him seized, and notwithstanding the clamour raised against him by the white people, assisted by Mr. Fraser, Akitoye acted with great firmness, and expelled Amadie. At this time (about April last) Senhor Conto, a leading man among the slave-dealers, declared to a person whom he supposed favourable to their views, that the plot was ripe, everything ready, and that they only waited for a supply of muskets and powder to attack Akitoye, cut off his head and that of Mr. Gollner, when Kosoko would return, and Lagos be wholly theirs.

The supply of muskets and gunpowder did arrive, in two English vessels, the "*Lydia*" of Liverpool, and the "*Hope*" of Bristol. These supplies were bought up by the slave-traders Conto, Marco, &c., and by Mr. Saudeman and others, and by them were distributed, on credit principally, among the Caboceers and their party.

Everything being now ready, messages and correspondence with Kosoko and Lima were kept up almost daily. Mr. Grote had Tappa's messengers in his house always in readiness to send off.

With matters in this state, I arrived at Lagos, and found every effort to effect a reconciliation fruitless; the two Caboceers acted with the greatest duplicity, and although they knew Kosoko was actually on the move towards Lagos, affected to have nothing to do with him, and to be strangers to his movements and intentions.

The merchants sided with the Caboceers, and appeared to believe them.

Akitoye was accurately informed of their and Kosoko's movements, and knowing that Kosoko's advanced guard had left Epi, he, urged on by the Chiefs, began the attack on the Caboceers on the morning of the 5th August.

With what ensued, Sir, you were made acquainted on your last visit to Lagos; but with reference to the expulsion of Kosoko from Lagos on that occasion, it is a matter of deep regret that his large war-canoes, to the number of more than forty, which in full confidence that the slave-traders and the two Caboceers had removed all opposition to his taking easy possession of Lagos, he had moored in a creek or bay close to Possu's house, should not have been either blockaded, captured, or destroyed; as they not only afforded Kosoko and a large number of his forces means of escape then, but have been the means since by which he has been able to harass and interrupt the trade of Lagos, capturing the canoes of the Egbas trading with Lagos, and by which he has kept the place in a constant state of alarm from his threats of attack by night; these canoes affording transport for a large body of men in a short space of time from Epi.

As you will, Sir, be fully informed by the senior officer of occurrences here since August last, it only remains for me to say, that the Government of Lagos, under Ducimo, Akitoye's son, is, notwithstanding the intrigues of Kosoko's friends, greatly improved, justice is better administered, and instead of a Chief bowed down by his misfortunes, and incapacitated by infirmities from active exertion, Lagos has now an active, energetic, and sensible man as king, in the prime of life, possessing, with his father's kindly disposition, firmness and determination of purpose to govern its population and promote its prosperity.

Beyond all doubt, Kosoko must be greatly discouraged by the death of Lima, Conto, and his other Slave Trade supporters at the hands of the Egbas; the fate of these men, when they fell into the hands of the Abbeokutian forces, cannot be wondered at. In one month's trading intercourse with Lagos, the Abbeokutians lost upwards of fifty canoes, with their cargoes, and eighty Egbas who were in them fell by the hands of Kosoko's war-canoes. The Chiefs of Abbeokuta, therefore, unsolicited, sent down this force of Egbas to assist Ducimo in contending with Kosoko and his supporters.

Up to this day, nothing authentic has been heard of Kosoko's movements since the attack on Jabu.

I wrote to the King of the Jabu country sometime ago, but my messengers were threatened with death by Kosoko's people if they left the town of Icarradoo, they therefore returned. I have since sent that letter and another, by way of Abbeokuta, to the King of Jabu Town, Odi.

The King of Dahomey having, through the active Slave Trade carried on in the Bight during the last twelve months, replaced the muskets he lost on his last attack on Abbeokuta, now threatens that town with another visit this dry season, but he reckons on the assistance of Kosoko and the King of Porto Novo. In the meantime, the Abbeokutians are repairing and strengthening the walls of their town, and seeking for a supply of ammunition.

I forwarded to the senior officer a copy of my correspondence with the King of Porto Novo. I beg now to add a copy of a letter I sent to Mayo, Chief of Badagry; and I beg to forward, for your information on this subject, an extract of a letter I lately received from Badagry.

I have, &c.

(Signed) B. CAMPBELL.

Inclosure 2 in No. 137.

Consul Campbell to Mayo, Chief of Badagry.

British Consulate, Lagos, October 28, 1853.

HER BRITANNIC MAJESTY'S Consul sends his respects to Mayo, Chief of Badagry, and has received the message sent to him by Mayo's son, "that Mayo had burnt down the toll-house he had erected on the beach on the road to Domingo Martinez' factory, at Porto Novo."

The Consul now calls on Mayo to burn down also the house he erected for Domingo Martinez at Adjidoo, between Lagos and Badagry, at which place Domingo's clerk or factor receives the unfortunate people kidnapped at Lagos, and from thence forwards them to Porto Novo.

If in five days from this, the Consul does not hear of this building being destroyed, it will be his duty to call upon Ducimo, King of Lagos, to send people to destroy it, as the King of Lagos claims the territory on which the buildings are erected.

(Signed) B. CAMPBELL.

Inclosure 3 in No. 137.

——— *to Consul Campbell*

Sir, *Badagry, November* 1, 1853.

MR. DOMINGO hears Plomowawa's* expedition what the Egbas have done to the slave-dealers, and it put him into a great dread; he therefore sends a message to Mayo not to send any more slaves to him, fearing that he also will have his share if he does not take care. They proclaimed yesterday that no one must now take slaves to Domingo.

No. 138.

Rear-Admiral Bruce to the Secretary to the Admiralty.—
(Received January 9, 1854.)

(Extract.) *"Penelope," November* 24, 1853.

NO one in the least acquainted with African affairs can fail to notice, that at the present moment, the slave-dealers on the coast, backed up by capitalists in Brazil and Cuba, are making the most strenuous efforts to regain their ascendancy over the native Chiefs, so as to enable them to renew the cruel Traffic which we have so nearly succeeded in stopping; and on no part

* Native name for the port of Jabu.—B. C.

of the coast are these efforts more conspicuous, or maintained with greater perseverance than at Lagos and in the adjoining countries.

The Chief who represents the slave interests in that locality is Kosoko; ever since his expulsion he has been endeavouring to re-establish himself at Lagos; his principal adviser is a Portuguese named Lima;* he it is who plans his war operations, and it must be from him that the money is derived to defray the expenses of the marauding expeditions that have lately caused so much bloodshed and commercial loss in the inland waters branching from the Lagoon of Cradoo. The imbecility of Akitoye, and the indiscreet conduct of the late Vice-Consul, there can be no doubt emboldened Kosoko and his adherents to persevere in their course; and the recent despatches which I have addressed to you on this subject will show the trouble we have had in frustrating their designs.

2. When Lagos was taken in 1851, all the foreign slave-dealers were expelled, with the exception of one Marco; this man pledged himself for the future to engage in legal trade only; and, on the representation of Commander Wilmot and others, whose lives he is said to have saved when Kosoko contemplated their murder, I allowed him to remain. Results have proved that he abused the privilege conceded to him; and the present King, Ducimo, as soon as he came into power, very properly carried out his father's intention, and dismissed Marco and his guilty confederates at once from the place.

They then established themselves at Jaboo, collected some hundreds of slaves in barracoons, but were attacked and routed in a short time by a native army, mainly comprised of Egbas. Notwithstanding, the "party" still exists, and I have no hope, under present circumstances, of their abandoning their project of restoring Kosoko, and with him the Slave Trade.

3. The commercial importance of Lagos cannot be overrated; all it requires is peace. It must become the entrepôt of the Bight of Benin, and in a few years the trade in palm oil alone might be made as extensive as that which at present exists in the Bight of Biafra. It has water communication from Porto Novo to Benin, and inland as far as Abbeokuta; in fact, the extent of the numerous lagoons and creeks is but little known to us; the whole country is intersected with them. Lagos is important, too in another and a higher point of view; it is the spot from whence our missionaries start on their several missions to the interior; it is from this place, and from Abbeokuta, of which it is naturally the seaport, that we have the greatest hope of Christianity and civilization spreading through Africa; therefore, both on political and moral considerations, we are interested in its welfare. The question is, how to ensure peace, and at the same time have such a controlling power over the surrounding Kings and Chiefs, as effectually to check their Slave Trading propensities. Experience convinces us that the several boat expeditions, although gallantly and skilfully conducted, have been attended with but trifling advantage; they are objectionable, too, on account of the sickness that generally follows their employment.

After mature consideration, I am led to believe that our objects would be fully and completely attained, if the Lords Commissioners of the Admiralty would be pleased to cause two or three small steam-vessels, not drawing more than four feet water, to be sent out for service in the Bight of Benin; such vessels would command entirely the lagoons and rivers; they would put a stop to the piracies and murders now so frequent in those ports; they would protect and foster legitimate commerce, and enable our merchants to carry on their business in safety; their guns would reach the towns, which are almost all built close to the water; and they would, moreover, be available as cruizers on the Benin coast, when not actually required in the interior. I am told that the French have six such vessels always at Senegal, and they have found them of the utmost service lately, in their expedition to the Bijoagas and Assinie: they are said to be built with a sliding gunwale, which is loopholed for musketry, and fitted to be raised up about six feet from the deck when required.

4. If their Lordships approve of my suggestions, I would recommend the vessels to be built of iron, and capable of carrying a 24 cwt. 32-pounder shell-gun, and two carronades, and to be supplied with rockets. A crew con-

* This person is denounced in a despatch from Mr. Consul Morgan to Lord J. Russell, dated Bahia, March 10th, 1853.

sisting of 35 white men in all (including a lieutenant to command, and other officers), with 20 or 30 Kroomen, would be ample; for assistance could be had from other ships on occasions of emergency: with such means at his disposal, the Commander-in-chief on this station would be in a position to dictate terms to the Chiefs of the countries bordering on the coast of Benin; we should create an export trade of 500,000*l.* a-year; we should effectually suppress the Slave Trade, and give security to the missionaries in their pious labours to bring about those happy results which Great Britain has so long desired to obtain for the people of Western Africa.

No. 139.

Rear-Admiral Bruce to the Secretary to the Admiralty.—(*Received February* 13.)

Sir, "*Penelope*," *off Lagos, January* 7, 1854.

I REQUEST you will bring under the notice of the Lords Commissioners of the Admiralty the accompanying correspondence relating to Lieutenant Charles H. Young, commanding Her Majesty's steam-vessel "Antelope," having improperly boarded the French merchant-schooner "*Sylphide*."

2. Although Lieutenant Young was not justified in his proceedings, it appears to me to be clear, that under the circumstances, M. Rosseau's claim for the sum of 25,000 francs is perfectly inadmissible.

3. As a measure of precaution, I beg you will move their Lordships to cause the commanding officers of ships ordered to this station, to be supplied with a copy of the Convention between Great Britain and France, of 29th May, 1845, before leaving England, as well as the Book of Instructions for the suppression of the Slave Trade, which is always issued to them.

I have, &c.
(Signed) H. W. BRUCE.

Inclosure 1 in No. 139.

Commodore Baudin to Rear-Admiral Bruce.

M. l'Amiral, *Eldorado, Gorée, le* 2 *Décembre*, 1853.

J'AI l'honneur de vous adresser le rapport du patron d'un bâtiment Français, qui se plaint d'avoir été visité par un des croiseurs de votre division, à hauteur du Rio Nunez. Ainsi que vous le verrez par le rapport, il n'a pas été possible à ce patron de connaître le nom du bâtiment qui l'aurait arrêté. Je pense qu'il vous sera facile, M. l'Amiral, de savoir le nom du bâtiment à vapeur, en croisière le 27 Octobre dernier, dans les parages indiqués, et vous jugerez sans doute qu'il y a lieu d'ordonner une enquête sur les faits signalés dans la plainte du patron de la "*Sylphide*."

Dans le cas où ces faits se trouveraient exacts, je m'en rapporte entièrement à votre justice pour faire punir d'une manière exemplaire, l'officier qui se serait rendu coupable de faits aussi blâmables, contraires au Traité de 1845, et que rien ne semble devoir justifier, car l'aspect seul de ce bâtiment aurait dû éloigner toute idée du Trafic des Esclaves.

M. l'Armateur, dans une lettre dont j'ai l'honneur de vous envoyer copie, réclame une somme considérable comme dédommagement du temps qu'on a fait perdre à son bâtiment. Je pense que c'est une affaire qui devra se régler entre nos deux Gouvernemens dès que les faits seront éclaircis.

Veuillez bien agréer, &c.
(Signé) H. BAUDIN.

Inclosure 2 in No. 139.

M. Rosseau to the Commandant of Gorée.

Monsieur,

UNE visite a été indûment faite à bord de la goëlette la "*Sylphide*," appartenant à MM. Malfilatre et C^ie^ de Rouen; un procès verbal constate les faits, et a été porté à votre connaissance.

En raison de ces faits je viens vous prier de vous adresser à M. le Commandant de la station, pour obtenir une juste réparation et une indemnité de 25,000 francs pour le retard éprouvé dans l'arrivée de mes arachides, retard qui m'a forcé à expédier à moitié vide, un navire d'Europe.

Je ne doute pas qu'outre la réparation du tort éprouvé, des excuses seront faites au capitaine de notre goëlette, et aux chefs de notre maison, MM. Malfilatre et C^ie^.

Agréez, &c.
(Signé) ROSSEAU,
Agent de Malfilatre et C^ie^., de Rouen;

Inclosure 3 in No. 139.

Procès verbal.

Marine et Colonies.

LE 9 Novembre, 1853, à trois heures de l'après midi, le Sieur Nicolas Seck, maître au petit cabotage de la Colonie du Sénégal, patron de la goëlette du commerce la "*Sylphide*," arrivée ce jour sur rade de Gorée, venant de Matacou, s'est présenté devant nous, Sous-Commissaire chargé du Service Administratif, avec le Sieur Scyui, maître au petit cabotage, son second, et avec M. Rousseau, négociant armateur de la dite goëlette, et nous a fait le rapport verbal suivant, nous priant de le recevoir, aucun homme de l'équipage de la "*Sylphide*" ne sachant ni lire ni écrire :—

" Parti de Matacou le 29 Octobre, dans l'après midi, avec un chargement d'arachides, j'étais le 28 au matin en vue du Cap Vergas du Rio Nunez, j'aperçus un aviso à vapeur qui me parut être un bâtiment de guerre. Je hissai mon pavillon, et ce ne fut que deux heures après, vers les huit heures, que ce bâtiment à vapeur hissa ses couleurs et que je le reconnus pour appartenir à la marine Anglaise. La goëlette la "*Sylphide*" se trouvant presqu'en calme dans ce moment, ce bâtiment à vapeur atteignit bien vite la goëlette et démasqua un de ses sabords, qui me laissa voir une pièce de canon qu'il me sembla voir charger. Je mis en panne, et un canot de ce vapeur, armé de six hommes, m'accosta. Le patron de ce canot, qu'aucune ensigne n'a pu me faire reconnaître pour officier (il était vêtu d'un pantalon noir ou bleu et d'un paletot également en drap, sans boutons ni galons d'uniforme) monta à bord de la goëlette et me demanda d'où je venais, où j'allais, de quel port était la goëlette, quel était mon chargement quel était le nombre d'hommes d'équipage, et à qui appartenait le navire. Quand j'eus satisfait à ces diverses questions, il me demanda à voir mes papiers, que je lui exhibai et qu'il examina; il passa ensuite la revue de l'équipage Il descendit après dans son canot et se rendit a bord du bâtiment à vapeur pour rendre compte, sans doute, du résultat de sa visite au commandant de ce bâtiment.

" Quelques instants après, le même canot revint à bord de la goëlette, et le même individu m'invita à ouvrir les panneaux, me disant qu'il voulait visiter la cale du navire. Je fis observer que la chaloupe était sur les panneaux et empêchait de les ouvrir, mais cet individu ayant insisté, j'obtempérai à cette réquisition et je fis ouvrir un panneau ; il fit alors sonder la cale avec une verge en fer par un des deux matelots qui étaient montés à bord de la goëlette avec lui. Il descendit lui-même dans la chambre pour la visiter, et fit visiter aussi le poste de l'équipage par un matelot crowman de son canot. Après ces opérations, il quitta la goëlette sans me rien dire et rejoignit le bâtiment à vapeur. Je démasquai alors mon hunier et je fis route. Les opérations de cette visite m'ont forcé de rester en panne pendant quatre heures environ. J'ignore le nom de ce bâtiment à vapeur."

Après avoir donné lecture du present Rapport aux dits Sieurs Nicolas Seck et Scyui, qui nous ont affirmé qu'il était sincère et véritable, et qui ont déclaré ne savoir signer, nous l'avons signé avec M. Rousseau, armateur de la "*Sylphide*."

Fait à Gorée, les jour, mois et an que d'autre part.

(Signé) ROSSEAU ET STEPHAN.

Inclosure 4 in No. 139.

Rear-Admiral Bruce to Commodore Baudin.

M. le Commodore, "*Penelope*," *Sierra Leone, December* 19, 1853.

BY the mail packet "*Hope*," which arrived here this morning, I had the honour to receive your despatch, dated 2nd December, with two inclosures, referring to the French vessel "*Sylphide*," having been improperly visited by one of the cruizers under my orders.

From circumstances, I am led to believe that it must have been Her Majesty's steam-vessel "Antelope," which has very lately arrived on the station, that has committed an infringement of the Treaty of 1845 ; she is now in the Bight of Benin, whither I shall repair in a day or two ; and I am sure, M. le Commodore, you will excuse me entering into a full discussion of this untoward business until I have communicated with the officer commanding the steamer.

I have, &c.

(Signed) H. W. BRUCE.

Inclosure 5 in No. 139.

Rear-Admiral Bruce to Lieutenant Young.

Sir, "*Penelope*," *Sierra Leone, December* 26, 1853.

PRESUMING that it was an officer from Her Majesty's steam-vessel under your command who boarded and examined the French merchant-schooner "*Sylphide*," off Cape Verga, on the 28th of October last, I send to you herewith a letter from Commodore Baudin, Commander-in-Chief of the French naval forces on that station, and its inclosures, complaining of the illegality of your proceedings on that occasion ; and I have to desire that you will report to me very fully upon

all the circumstances mentioned in the deposition of the master of the "*Sylphide*," in order that it may be judged whether the measures which you took upon yourself to adopt with respect to that vessel were justifiable or not, and if so, whether those measures were carried out in a manner conformable to the custom of the service, and to the instructions of the Lords Commissioners of the Admiralty relative to the suppression of the Slave Trade.

I have, &c.
(Signed) H. W. BRUCE.

Inclosure 6 in No. 139.

Lieutenant Young to Rear-Admiral Bruce.

Sir, "*Antelope*," *off Lagos, January* 6, 1854.

IN answer to your letter of the 26th ultimo, I have the honour to inform you of the circumstances that took place relative to the French schooner "*Sylphide*:" viz, at 8 a.m., of the 22nd October last, being at anchor off Cape Verga, a strange sail was reported to me,as being on a wind, standing in for the land; shortly afterwards she was seen to bear up and make all sail before the wind, which appeared to me very suspicious, consequently I immediately weighed and made sail in chase; at 11.20, there being scarcely any wind, I ordered the steam to be got up, and at 1 p.m., when within a short distance of the chase, she hoisted French colours, and hove to of her own accord; on coming up with her I sent my second officer in command, Mr. O. F. Johnson, second master, accompanied by Mr. Watts, master's assistant, to board the vessel (the first-named officer was dressed in a uniform frock-coat, cap, white trousers and sword), which they did and returned; she then filled and made sail, but the suspicious proceedings of the vessel leading me to believe that she did not belong to the nation indicated by her colours, and not feeling satisfied with the report of the boarding officers, I steamed ahead of her, and sent the same officers to make a stricter search, and convince themselves of the correctness of the master's statement which done I returned to my cruizing ground.

By the above statement you will perceive the "*Sylphide*" was only detained a short time, instead of four hours, as stated by the master; and he is also in error relative to the day of the month she was boarded, as he states it was the 28th of October, whereas it was the 22nd.

I also beg to state that I arrived on this station on the 12th October last, and at the time of boarding the "*Sylphide*," I was not aware of the Convention between the French and British Governments, of the 29th May, 1845, consequently in this occurrence was acting according to a copy of Instructions, dated 12th June, 1844, sent me by the Lords Commissioners of the Admiralty, in which there is a Convention of the 30th November, 1831, and a supplementary one of the 22nd March, 1833, between France and Great Britain, for the suppression of the Slave Trade.

I trust, Sir, you will be pleased to attribute the mistake which I made in examining the "*Sylphide*," to the circumstance of my not being aware of the Convention first above-mentioned, and also to the fact of my not having had time or opportunity to become acquainted with any of the regulations of the African station; for when this unfortunate occurrence took place, I had only been twelve days under your command, and had not met your flag-ship or received any particular instructions from Commander Hesceltine, the senior officer in the Sierra Leone division of this squadron.

I can scarcely think it necessary for me to assure you that I had not the least intention of acting in a manner that might be construed as disrespectful to the French nation, for not only as far as my public duties are concerned am I desirous, as is incumbent upon me, to treat the ships and people of that country with every courtesy and high consideration, but I am prompted to that line of conduct by the feeling of respect and admiration which I have always entertained towards them on every occasion, and still more so now as our coadjutors in the suppression of the Slave Trade on the coast of Africa.

I have, &c.
(Signed) C. H. YOUNG.

Inclosure 7 in No. 139.

Rear-Admiral Bruce to Commodore Baudin.

M. le Commodore, "*Penelope*," *off Lagos, January* 7, 1854.

I HAVE the honour to refer you to my communication, dated 19th December last, and to inclose for your information a copy of a letter from Lieutenant C. H. Young, commanding Her Majesty's ship "Antelope, on the subject of his having improperly boarded the French schooner "*Sylphide*."

Regretting, as I do, that Lieutenant Young should have acted in direct contradiction to a convention between our respective Governments, it is with much satisfaction I find that he has erred from ignorance of the Regulations established for our guidance, and not from a wilful disregard of those Regulations; in which latter case, I should have unhesitatingly ordered his conduct to be investigated before a court-martial; but as the matter stands now, I trust M. le Commodore, you will give him credit for the sincerity of his apology, and bearing in mind the absence of any intention on his part to behave with disrespect to the French flag, or with discourtesy to any of His Imperial Majesty's subjects sailing under that flag, that you will not deem it necessary to press the matter any further against him.

I forbear entering into the question of M. Rosseau's claim for indemnification, because I concur in opinion with you that it is one to be decided between the two Governments, as soon as the facts are made clear to them.

I shall not, of course, fail to inquire how it was that Commander Heseltine, the senior officer at Sierra Leone, allowed the "Antelope" (which had only just arrived on the station) to leave that port to cruize on the coast without supplying the officer in command with the established Regulations, and I have already adopted such measures as I have no doubt will prevent a similar irregularity occurring for the future.

I have, &c.
(Signed) H. W. BRUCE.

No. 140.

Rear-Admiral Bruce to the Secretary to the Admiralty.—(Received February 14.)

Sir, *"Penelope," off Lagos, January* 10, 1854.

1. I HAVE the satisfaction of requesting you to acquaint the Lords Commissioners of the Admiralty that I have received information of Commodore Mayo, the Commander-in-Chief of the United States' squadron on the coast of Africa, having, on his visit to the southern parts of his station, in the frigate "Constitution," captured the American schooner "*H. N. Gambril*," on the ground of her being engaged in the Slave Trade.

2. The "*H. N. Gambril*" was spoken by the "Crane," off Cabenda, on the 24th of October, and was considered by Commander Miller to be a very suspicious vessel. On the 28th, being in company with her again, he boarded her, and on the evening of that day fortunately fell in with the "Constitution," and gave such information to Commodore Mayo as led to the capture of the schooner about 15 miles south of the Congo. Thus it will be seen that her escape from the vigilance of a British cruizer was only owing to her having the right to hoist the flag of the United States, which, in this instance, so nearly succeeded in enabling her master to prosecute in safety the infamous object of his voyage.

3. I am informed that the master of the "*H. N. Gambril*" had the audacity, when chased by the "Constitution," to display a British ensign for a time; and that, when boarded, he declared his vessel and cargo to be consigned to Mr. Felix Walker, the agent of Messrs. Hatton and Cookson, Liverpool merchants trading at Ambriz. That his statement in this respect is entirely false is proved by the subjoined evidence of the person now acting for Mr. Walker, which has been forwarded to me by Lieutenant Pearse, commanding Her Majesty's ship "Atholl," together with a copy of his letter to Mr. W. Hough, to the effect that in his (Lieutenant Pearse's) opinion, such statement is altogether without foundation.

4. I am further informed by Commander Miller, that he has reason to suspect that the "*Sarah Hope*" has got clear off the coast with 600 slaves on board; and that the mate of the "*H. N. Gambril*" reported that the "*Republic*," like the "*Sarah Hope*," an American vessel, had some time before sailed for Cuba with 700 slaves on board.

5. Commodore Mayo, I am happy to find, has appointed a Consul at St. Paul de Loanda, selecting for that office a Mr. Willes, who is engaged in business there. This, with the presence of a ship of war in the neighbourhood, may it is hoped have the effect of checking those disgraceful proceedings which certain unprincipled adventurers now carry on under cover of the United States' flag.

I have, &c.
(Signed) H. W. BRUCE.

Inclosure 1 in No. 140.

Questions relative to the American Schooner "H. N. Gambril," *E. M. Jefferson, Master, captured by the United States' Frigate* "*Constitution*," *bearing the broad pendant of Commodore Mayo.*

Ambriz, November 6, 1853.

QUESTIONS put to Mr. William Hough, as representative of Mr. Felix Walker, of the English Factory at Ambriz, by Lieutenant Rogers, of the United States' frigate "Constitution":—

Whether you have received from Cabenda, or any other source, any list of her cargo, bills of lading, or any papers connected with said schooner?—Answer; No, I have not.

Whether you have any knowledge of her whatever?—Answer: None whatever.

Whether you know a Mr. Thomas Miller, of New York, who is the owner of aforesaid schooner?—Answer: No knowledge of him whatever.

Questions by Lieutenant W. A. R. Pearse, commanding Her Majesty's ship "Atholl":—

Whether such vessel could be consigned to Mr. Walker without your knowledge?—Answer: No, she could not.

Whether the books of the house have been always open to you, and for what period?—Answer: Always for these last two years.

(Signed) WILLIAM HOUGH, *Agent to the Firm of Messrs. Hatton and Cookson.*

W. A. R. PEARSE, *Lieutenant Commanding H.M.'s Ship "Atholl," and Witness to above.*

SIDNEY E WRIGHT, *Clerk in charge of H.M.'s Ship "Atholl," and Witness to the above.*

Inclosure 2 in No. 140.

Lieutenant W. A. R. Pearse to Mr. W. Hough.

Sir, *H.M.'s Ship "Atholl," Ambriz, November 6*, 1853.

WITH reference to the questions put to you this morning in my presence by an American officer respecting the schooner "*H. N. Gambril*," I feel it my duty to give you the following explanation:—

The American schooner "*H. N. Gambril*," E. M. Jefferson, master, being found fully equipped for the Slave Trade, was captured a few days since 15 miles south of the Congo by the United States' frigate "Constitution," bearing the flag of Commodore Mayo.

The master of the said schooner having stated that his vessel was consigned to Mr. Felix Walker, the agent at Ambriz for the firm of Messrs. Hatton and Cookson, of Liverpool, Commodore Mayo was in consequence about to send his flag lieutenant to your factory to investigate the truth of such statement; and I, therefore, made it my business to require that, as the senior British naval officer off Ambriz, such investigation should be made in my presence.

Mr. Walker having returned to England, reference was made to you as his legal representative, and therefore fully acquainted with the transactions of the house.

From your promptitude in submitting the books of the house for inspection, from your distinct and unhesitating denial of the truth of such statement, and from the fact of the master of the said schooner being unable to produce a bill of lading, or paper or letter of any description, in support of such assertion, I feel bound to inform you, for your own satisfaction and for the information of Messrs. Hatton and Cookson, that, in my opinion, such statement is altogether without foundation.

I have, &c.

(Signed) W. A. R. PEARSE.

No. 141.

Rear-Admiral Bruce to the Secretary to the Admiralty.—(*Received February* 13.)

Sir, *"Penelope," off Lagos, January* 11, 1854.

I REQUEST you will acquaint the Lords Commissioners of the Admiralty, that on hearing that many of the Chiefs of Kosoko's party were discontented with the present state of affairs in this country, and desirous of making peace and resuming their commercial pursuits, I despatched the "Pluto" on the 7th instant, with Mr. Consul Campbell on board, to the port of Jaboo, from whence communication could be had with Epi.

Lieutenant Bedingfeld returned here late last evening, and reports that Tapa and others are really desirous of negotiating; it is therefore proposed that a meeting of the principal parties shall take place somewhere in the neighbourhood of Lagos, when it is hoped such measures may be agreed to as will lead to a more satisfactory state of things than has heretofore existed.

The packet being on the eve of sailing for England, and not having seen the Consul since his return from Jaboo, I am not able to furnish their Lordships with any further particulars of the result of his mission at the present moment.

I have, &c.

(Signed) H. W. BRUCE.

No. 142.

Rear-Admiral Bruce to the Secretary to the Admiralty.—(Received March 4.)

Sir, *"Penelope," Fernando Po, January 23, 1854.*

REFERRING to my despatch of the 11th instant, I request you will acquaint the Lords Commissioners of the Admiralty, that Lieutenant Bedingfeld, of Her Majesty's steam-vessel "Pluto," accompanied Mr. Consul Campbell to Eppi, the head quarters of Kosoko and his adherents, for the purpose of negotiating for the establishment of peace and the resumption of commerce at Lagos and the adjoining countries.

2. Lieutenant Bedingfeld started on this expedition on the 13th, and returned to his ship on the 18th instant, and is now, I regret to say, suffering from a fever contracted in the execution of the important and delicate duties entrusted to him. His Report, a copy of which is forwarded herewith, shows how kindly and respectfully both he and Mr. Campbell were received, particularly by Tapa, who is represented to be a man of more than ordinary sagacity in his position, and one on whose word reliance may be placed.

3. On Monday, the 16th of January, Mr. Campbell being too unwell to leave his boat, Lieutenant Bedingfeld landed and had a public interview with Kosoko and the Chiefs. At this meeting Lieutenant Bedingfeld stated the basis on which we sanctioned peace, namely, that he, Kosoko, should relinquish his claim to the sovereignty of Lagos; should cease to molest the people now living there; and should, of course, give up the Traffic in Slaves. We, on our part, offered to allow Kosoko the use of Jaboo as a seaport, guaranteed that he should not be molested by the inhabitants of Lagos, and promised that the same support and friendship should be extended to him as is enjoyed by all the African chiefs who act up faithfully to their engagements with Great Britain.

These propositions were well received, with the exception of that relating to Kosoko relinquishing his claim to Lagos. On this point, although he disavowed any intention of attempting to regain what he considered to be his rights by force of arms, he would not sign any document specifying his abandonment of those rights, because he remarked, his followers would lose all respect for him, and would, in the end, leave him in consequence; but to the other conditions he was most desirous of subscribing, and stated that he was just as anxious for peace and trade as his enemies could be.

4. During the whole time, and since these negotiations have been in progress, the war-canoes have ceased to interrupt the traders coming down the Lagoon from the upper countries, and a large quantity of produce may be expected to arrive in a few days.

When I left Lagos on the 21st instant, there were 11 merchant-ships waiting for cargoes.

5. On the morning of the 19th, I went up the river to confer with Mr. Campbell, who substantiated Lieutenant Bedingfeld's Report, but he was too fatigued himself to furnish me with a written statement of his proceedings. As soon as these gentlemen are sufficiently recovered to admit of their travelling, they will proceed halfway to Eppi, to meet properly accredited agents from Kosoko, and treat with them finally, on terms similar to those which are mentioned in this despatch, and I hope by the next mail to be able to forward the intelligence of a satisfactory settlement of the very difficult questions that have so long operated to the prejudice of commerce at Lagos, and to the advancement of civilization in that part of my command.

6. The conduct of Lieutenant Bedingfeld is highly praiseworthy; I am happy to say that I have always found him to be a zealous, good officer, and on no occasion more than the present have his exertions for the benefit of Her Majesty's service been more conspicuous, or more promising of important and successful results.

7. In conclusion, I request you will state to their Lordships, that the new aspect of affairs at Lagos does not incline me to alter the opinions expressed in my despatch of the 24th November, 1853.

I have, &c.

(Signed) H. W. BRUCE.

Inclosure in 142.

Lieutenant Bedingfeld to Rear-Admiral Bruce.

Sir, *H.M.'s Steam Vessel "Pluto," off Lagos, January* 19, 1854.

I HAVE the honour to report my proceedings since the 13th instant. The boats came into the river on the afternoon of the 13th, and we started about 4 P.M. for Eppi, the Consul taking his large boat.

We had a fine cruize down, and arrived at Eppi on the morning of the 14th, having met a war-canoe with a flag of truce from Tappa on our way to conduct us to his place; she had been out two days waiting for us. Tappa came off immediately to see the Consul and express his delight at our arrival; he proceeded soon after to prepare a hammock to convey Mr. Campbell to his house.

We landed soon after and found him on the beach to receive us, also Senors Lima and José Pedro; both the latter during our stay were exceedingly civil and attentive. The chiefs came to pay their respects, and Kosoko's stick with the usual complimentary inquiries. There was some difficulty in keeping off the crowds of people, who all appeared delighted to see us, many of them never having seen a white man before.

On our way up I observed several trenches had been dug, and embankments thrown up, very cleverly placed to resist an attacking party.

During our stay, although about the town in several directions, we saw no guns of any kind, doubtless they had them concealed. At Tappa's house we found everything done that he could imagine would make us comfortable; even couches to recline on in the sort of verandah, with English gauze curtains beautifully clean and well arranged. (I mention all this merely to show the superior style of Tappa's ideas.)

We here got a second message from Kosoko, requesting the Consul would call on him in the evening (there was to be no palaver then), as he wished very much to see him; it was accordingly done, and we were received by Kosoko splendidly dressed, and with as much noise as the people outside, and his 100 wives inside the house, could manage to make. After many speeches expressive of his wish for peace, he proposed the health of Her Majesty, and afterwards requested to know if we would dine with him, or, if we preferred it, a dinner should be sent to Tappa's house; the latter was chosen, and accordingly we had a well-dressed dinner of about 30 dishes served up in great style. In the evening we returned to our boat to sleep, to avoid the mosquitos, &c.

On Sunday, the 15th, breakfasted with Kosoko, as he sent his stick to say it was ready; afterwards talked over affairs privately with Tappa. Every morning during our stay Tappa and other chiefs came off to the boat to pay their respects; Kosoko's stick was also sent soon after daylight to inquire after the Consul's health, &c. On Monday, the 16th, the Consul was too unwell to land; I accordingly went to hold the palaver, Mr. Campbell having previously given me the heads of what he wished to be discussed. It took up the whole day, as nearly all the Caboceers spoke, but the palaver was better managed and more orderly than any I have seen before on the coast. They all wished for peace, and begged hard for Kosoko to be allowed to return to live at Lagos, thanked us very much for having come to them, &c.; all of which, and the arrangement of a future meeting, Mr. Campbell will, I suppose, inform you.

A messenger had been sent to Jaboo for the King's permission for them to sign any papers on his territory, which was granted. On Tuesday, 17th, Mr. Campbell went on shore to take leave of Kosoko and chiefs,—I was not well enough; all the Caboceers came off, however, as well as Senors Lima and José Pedro. The boat was nearly filled with stock, &c., for our use on the passage up, and two war-canoes were sent to attend us part of the way back; we got away about 5 P.M., and arrived at Lagos yesterday evening. Thinking that you would be anxious on account of our long stay, I sent the first gig forward as soon as they had their dinners, in the hope that she might have crossed the bar before sunset; she unfortunately did not get in in time, owing to the strong flood tide.

I was much gratified to find that since my visit to Tappa in February, 1852, he had, by all accounts, tried his utmost to carry out his promises to me; he has endeavoured on all occasions to prevent Kosoko from going to war; his landing at Lagos was against his advice, and caused angry words between them.

He has liberated, I think, 14 prisoners taken by his canoes, and sent them back to Mr. Vice-Consul Fraser at Lagos; some of these he paid large sums of money to redeem. He gave me his word that he has had nothing whatever to do with the Slave Trade since. Mr. Campbell, I am happy to say, is as much pleased with him as I was at first.

Tappa fulfilled his promise to me at Jaboo the other day, of calling in the war-canoes, 60 in number, that were sent out to intercept the Egba canoes, all of which have arrived safe and without molestation.

It is a source of congratulation that communication by Lagoon is once more clear.

War from Kosoko's people is now, I am happy to say, little to be dreaded. The markets are to be immediately opened, and the first cargo of oil (of which there appears to be plenty in the neighbourhood) will arrive in about two days. Trusting that when you receive the Consul's report of affairs, my conduct will meet your approval.

I have, &c.
(Signed) NORMAN B. BEDINGFELD.

No. 143.

Rear-Admiral Bruce to the Secretary to the Admiralty.—(Received March 20.)

Sir, *"Penelope," Sierra Leone, February* 21, 1854.

ADVERTING to former correspondence on the subject, I request you will bring under notice of the Lords Commissioners of the Admiralty the

accompanying despatch from the Commander-in-Chief of the French naval forces on the west coast of Africa, expressing his perfect satisfaction with the "frank and royal" explanations given by Lieutenant C. H. Young, commanding Her Majesty's steam-vessel "Antelope," to justify his conduct on the occasion of his boarding the French schooner "*Sylphide.*"

I have, &c.
(Signed) H. W. BRUCE.

Inclosure in No. 143.

Commodore Baudin to Rear-Admiral Bruce.

M. l'Amiral, *Eldorado, Gorée, le* 31 *Janvier*, 1854.

J'AI l'honneur de vous accuser réception de vos dépêches en date du 19 Décembre, 1853, et 7 Janvier, 1854, ainsi que la copie de la lettre de M. le Commandant du bâtiment à vapeur "l'Antelope," au sujet de la visite de la goëlette Française la "*Sylphide.*"

Je me suis empressé d'adresser à mon Gouvernement les observations de cet officier, et votre dépêche, en priant le Ministre de vouloir bien en donner connaissance à MM. les armateurs de la "*Sylphide,*" et je suis convaincu d'avance que le Gouvernement Français et les dits armateurs seront, comme je le suis moi-même, complètement satisfaits des explications franches et loyales que donne M. le Lieutenant-Commandant Young, de "l'Antelope," pour justifier sa conduite en cette circonstance.

Veuillez, &c.
(Signé) H. BAUDIN.

EAST COAST OF AFRICA.

No. 144.

Commodore Talbot to the Secretary to the Admiralty.—(*Received May* 31.)

(Extract.) *"Mæander," in Simon's Bay, March* 22, 1853.

I REQUEST you will be pleased to inform the Lords Commissioners of the Admiralty, that Her Majesty's sloop "Penguin" arrived in this bay from the Mozambique Channel on the 6th instant, after an absence of nine months.

2. I inclose herewith, for their Lordships' information, a copy of a Report dated 31st December, 1852, and an extract from a letter dated 19th February, 1853, from Commander the Honourable G. D. Keane, of the "Grecian," senior officer on the east coast of Africa, from which it would appear, that latterly the Slave Trade has not been carried on with much activity from ports on the east coast; and the information I have received from Commander Etheridge, of the "Penguin," strengthens the supposition. But when all points are considered, the difficulty of arriving at any certain conclusion is great.

3. The "Penguin" is now refitting, and she will shortly resume her duties as a cruizer in the Mozambique.

Inclosure 1 in No. 144.

Commander Keane to Commodore Talbot.

(Extract.) *H.M.'s Ship "Grecian," at Sea, Lat.* 14° 11′ *S., Long.* 45° 43′ *E., December* 31, 1852.

DURING the last six months there have been few vessels met with, none of those appeared to be engaged in Slave Trade; they belong to Mozambique, and trade with the different ports lying within the Portuguese territory.

I, however, boarded in October a Portuguese brig ("*Sublima*") from Lisbon, bound to Mozambique, and although I found nothing that would warrant her detention, yet, from her general appearance, I strongly suspect she will embark slaves should an opportunity be afforded her. In June last the American brig "*Camargo*" arrived off Quillimane, having on board M. Azevedo, a merchant of that place; she was bound to Mozambique, and, I believe, proceeded to that port; her movements since are uncertain, but it is reported that in November last she left the Maindo river (73 miles south of Quillimane) with from 500 to 600 slaves on board.

I caused the boats to search thoroughly the small rivers lying between lat. 16° 40′ and 10° 37′ south, in the neighbourhood of Quillimane, as well to get acquainted with the passages, as to ascertain the facilities they afford for the shipping of slaves.

In the river above-named, from whence the "*Camargo*" is supposed to have escaped, the senior lieutenant of the "Grecian" reported to me that he found a large barracoon, which presented every appearance of recent occupation. The merchants are all absent from Quillimane, whether employed with legitimate purposes, or superintending slave dealing or shipping (this being the season), I cannot say. Every endeavour has been made to intercept vessels by continual cruizing and strict look-out, but a sail has rarely been seen.

Inclosure 2 in No. 144.

Commander Keane to Commodore Talbot.

(Extract.) *Quillimane, February* 19, 1853.

WITH a view to keep a continued watch as long as possible on Quillimane, I touched at St. Augustine's Bay on my way there, and filled up with water.

I communicated with the "Penguin" off the river on the 22nd October, and parted company on

the 23rd, when she started for the northward in the execution of her orders. From the "Penguin" I received information that a vessel ("*Camargo*") was about to ship slaves to the southward of Quillimane.

The small rivers lying between latitude 16° 40′ and 18° 37′ south, I caused to be thoroughly searched by the boats of the sloop under my command; but no vessels were discovered in any of them. A building supposed to be a barracoon, and to have been recently occupied, was reported to me as standing on the banks of the Maindo River (the same from which the "*Camargo*" is said to have escaped with from 500 to 600 slaves); other than this nothing was found indicative of Slave Traffic being carried on.

With reference to the Slave Trade in general, notwithstanding the continual cruizing of the vessels in the manner which experience of the channel seemed to point out as the best mode (beyond the report of the "*Camargo*" escaping), nothing has been seen or heard of. I would not, however, infer from this, that Slave Trade has not been carried on.

No. 145.

Commodore Talbot to the Secretary to the Admiralty.—(*Received October* 26.)

(Extract.) "*Mæander*," *Simon's Bay, September* 7, 1853.

I HAVE the honour to forward herewith, to be laid before the Lords Commissioners of the Admiralty, copies of the half-yearly Report required by Article III, page 7, of the Slave Trade Instructions, made by the Commanders of Her Majesty's sloops "Grecian" and "Penguin," which vessels have been employed in the suppression of the Slave Trade on the east coast of Africa.

Inclosure 1 in No. 145.

Commander Keane to Commodore Talbot.

(Extract.) *H.M.'s Ship "Grecian," Simon's Bay, June* 30, 1853.

WITH reference to the half-yearly Report directed to be made by the Slave Trade Instructions, I have the honour to inform you that Her Majesty's sloop "Grecian," under my command, has been cruizing in the Mozambique Channel the last nine months without making any captures.

That Slave Trade exists I firmly believe, notwithstanding my not having come across any vessels fitted for that Traffic.

The movements of certain vessels, sailing under American colours in the Mozambique Channel are certainly attended with suspicion, the flag protecting them from search; they hover on the coast, and after a time rendezvous at Mozambique; it is almost impossible to detect (and to be certain) suspicious papers; and whatever degree of surety one might feel as to the real nature of their intended employment, acting in any other way than the mere inspecting of documents is attended with risk.

My suspicions in this matter have some foundation; for in June last, a brig under American colours arrived off Quillemane River, with M. Azavedo on board, the most noted slave-dealer on the coast. I boarded this vessel, and inspected her papers, suspected they were not correct, from her not having an original register; the one produced was a copy, but apparently properly signed and sealed by American authorities; the original was stated to have been destroyed by fire at San Francisco. It appeared some time afterwards that this vessel had never been to California at all, but had merely come from Rio de Janiero with M. Azavedo, whose property she was.

It is likewise certain that she went from Mozambique to Madagascar (Bembatooka Bay), and there made up her leaguers and filled with water from thence she proceeded to the Maindo river, seventy miles south of Quillimane, and left in November, 1852, with 600 slaves.

At the time of my leaving Quillimane, there were collected in the various branches of the Zamlezi, upwards of 1500 negroes for exportation.

The "*Warren White*" (American) was lying at Mozambique, and there is every probability that she will at some time ship slaves; I informed Commander Etheridge of this, and gave him every other information that I possessed before quitting the station.

I have, &c.
(Signed) GEO. D. KEANE.

Inclosure 2 in No. 145.

Commander Etheridge to Commodore Talbot.

H.M.'s Ship "Penguin," Casurina Island, Mozambique Channel,
Sir, *July* 1, 1853.

I HAVE the honour to report to you, that during the past half-year I have had no opportunity of collecting any information on the subject proposed in the Slave Trade Instructions, page 7, Article III.

I have, &c.
(Signed) THOS. ETHERIDGE.

BRAZIL STATION.

No. 146.

Rear-Admiral Henderson to the Secretary to the Admiralty.—
(Received October 17.)

(Extract.) *September* 13, 1853.

I AM glad to say that the improved, or at any rate, the quiet state of affairs in the River Plate enables me to keep the majority of the squadron cruizing on the coast of Brazil for the suppression of Slave Trade. It is, perhaps, desirable to display a little activity at the present moment consequent on a recent change in the Brazilian Cabinet; for until the intentions of the new Ministry as regards putting an end to the Traffic are more clearly revealed, the slave-dealers may be disposed to take courage from their well-known antecedents. I have just despatched the "Express" and "Trident" to watch for a vessel called the "*Maria Isabel,*" expected to arrive off the Island of Marambaya during the present month; and as soon as the "Sharp-shooter" and "Bonetta," which returned from a cruize a few days since, have made good some trifling defects, they also shall be sent out to other parts of the coast.

I am given to understand that a well-known slaver, which under the name of "*Valoroso*" was captured in 1851, and sent to Genoa for adjudication and condemned, has returned to Rio de Janeiro under the Sardinian flag, the property of her former owner, with the same captain, and that she is now in port under the name of the "*Eduardo.*" Her Majesty's Chargé d'Affaires has taken steps to communicate this information to the proper authorities, but I shall, of course, cause her movements to be closely watched.

The whole of the small ports and places north and south of Rio de Janeiro, which were formerly resorted to as being convenient for Slave Trade operations, have been recently visited by our cruizers, and I am glad to say that at none of them have any indications been discovered of a renewal of the Traffic.

No. 147.

Rear-Admiral Henderson to the Secretary to the Admiralty.—
(Received December 20.)

Sir, "*Centaur,*" *at Bahia, November* 15, 1853.

WITH reference to your letters of the 19th, 20th, 26th, and 28th of September last, on the subject of the Slave Trade and the efforts that are being now made by the slave-dealers of Brazil and Cuba for renewing the Traffic on an extensive scale, I beg you will acquaint the Lords Commissioners of the Admiralty that I will give those letters my careful attention, and maintain the greatest possible activity on the part of the cruizers under my command.

It is true that the shipment of cargoes from the port of Bahia for the coast of Africa has of late been much on the increase, but the vessels when cleared and despatched from here cannot be looked upon otherwise than as lawful traders, and in the case of Brazilian vessels, are under heavy bond for the performance of a legal voyage. This last would not of course be sufficient

in itself wholly to suppress the Traffic, but combined with other measures, it operates as a wholesome and substantial check; and whatever the ultimate hopes of the slave-dealers may be, I feel justified in saying that the energy and good faith now displayed by the Brazilian Government and the authorities along the whole line of this coast would seem to defy any present attempt to revive the Traffic being attended with success.

This opinion I have held for some time past, based on the reports received from the commanding officers of the cruizers, and my own observations, and it has been strengthened after inquiries I have recently made at Rio de Janeiro, Bahia, and Pernambuco.

The new Brazilian Ministry has lately evinced its desire to complete the annihilation of the Traffic by the introduction of a project of law (which has been submitted to the Chambers) more stringent than any yet passed; among other clauses, there is one imposing the penalty of confiscation on any vessel known to have been engaged in the Slave Trade at any former period, although at the time of her seizure she may be engaged in legitimate pursuits.

With reference to your letter, the information relative to two vessels fitting out at Monte Video, and suspected to be intended for the Slave Trade, had already reached me, and the necessary steps been taken for ascertaining the truth of the report. The suspicion seems to have originated in their taking in cargoes of mules for the Cape de Verdes, which suggested the idea that the fittings necessary for such a cargo, viz.—water-casks, corn, tubs, and a laid deck, were equally applicable for the reception of slaves. Lieutenant Day, of the "Locust," who was in communication with Her Majesty's Consul-General at Monte Video on the subject, recommended a search being made by the Government authorities as to whether there were any kind of slave equipments on board, and that course having been adopted, I have heard nothing further of it.

Prior to my leaving the River Plate, a report reached me that instances had occurred in which vessels that had cleared from Buenos Ayres and Monte Video had landed their cargoes at Maldonado, and thence proceeded to the coast of Africa to engage in the Slave Trade. From the inquiries I made at the time, I could obtain no proof that such had really been the case; however, I sent the "Locust" to the spot, and from all that Lieutenant Day could learn, no vessel of any kind had been there for several months previously. The "Locust" also proceeded to a bay just to the eastward of Cape St. Mary's, and to one or two anchorages in that neighbourhood, less frequented and better adapted than Maldonado for the unlawful pursuits referred to, but there neither vessels, houses nor residents were seen, and the "Locust" returned to Monte Video.

The "Centaur," "Star," "Express," "Trident," "Bonetta," and "Sharpshooter," have lately been and still are employed along the coast between St. Catherine's and Pernambuco, and there is no indication of Slave Trade at the present moment.

I have, &c.
(Signed) W. M. HENDERSON.

No. 148.

Rear-Admiral Henderson to Lieutenant Harvey.—Received January 18, 1854.

Sir, *"Centaur," Rio de Janeiro, December* 12, 1853.

I TRANSMIT herewith for your information a copy of a letter* addressed by Her Majesty's Consul at Rotterdam, to Her Majesty's Principal Secretary of State for Foreign Affairs, respecting certain vessels which have been sent from Bahia to the Bights of Benin for slave-trading purposes. I am unwilling to believe that the deceptions alluded to by Sir James Turing have been practised recently, but on receipt hereof you will confer on the subject with Mr. Consul Morgan, and if he should have reason to think that such impositions do still prevail, and that notwithstanding the heavy bond required from all vessels sailing for the coast of Africa, they contrive to evade the vigilance of the Brazilian authorities and convey away slave equipments, you

* Class B, No. 275.

will take up such a position off the Port of Bahia as will enable you speedily to test the truth or otherwise of the report, being guided in the search and examination of any suspected vessels by your instructions on the subject of the Slave Trade.

I have, &c.
(Signed) W. W. HENDERSON.

No. 149.

Rear-Admiral Henderson to the Secretary to the Admiralty.—
(Received February 15.)

Sir, *"Centaur," Rio de Janeiro, January 13, 1854.*

I HAVE learnt with some satisfaction that a Circular was issued by the Brazilian Government on the 21st ultimo, requiring that in future the masters of all coasting-vessels should be furnished with an open copy of their cargoes, or with a certificate of their sailing in ballast; which documents are to be invested with the same formalities as the sealed manifest to be delivered at their destined port, "in order to be able to show, if necessary, as well on the high seas, as in any other port which by chance they go into, what cargo, if any, they have on board."

It would have been too much to expect that the Brazilian Government should have consented to adopt this course in consequence of my observations on the subject of sealed manifests, and which were referred to in my letter to you of the 8th December; but at any rate, the point has been gained, and by it any inconvenient detention of vessels searched on the high seas on suspicion of being engaged in illegal Traffic will thus be obviated to a very great extent.

Since my last Report on the subject of Slave Trade, Her Majesty's cruizers have been actively employed along the whole line of the coast of Brazil, but without discovering the smallest indication of the existence of the intended renewal of the Traffic on any part of it.

What gives ground for suspecting that the slave-dealers have some plan in contemplation, is the increased shipment, at Bahia, of cargoes for the coast of Africa.

Lately at Bahia rumours were current relative to a supposed projected attempt to land African slaves in the Province of Alagoas, on the north coast of Brazil, in consequence of which the "Trident" proceeded off the spot, and for their Lordships' information I inclose a copy of Lieutenant Harvey's Report on that subject.

The steps taken by the Brazilian authorities were sufficient to frustrate the object, had it been intended; but considering, under all circumstances, it may have a good effect to detach a second vessel to cruise on the Bahia division of the station, it is my intention, as soon as the "Sharpshooter" is re-fitted, and defects made good (her bowsprit having been found badly sprung), to send her to Bahia for that purpose.

I have, &c.
(Signed) W. W. HENDERSON.

Inclosure 1 in No. 149.

Lieutenant Harvey to Rear-Admiral Henderson.

Sir, *"Trident, at Bahia, January 2, 1854.*

I HAVE the honour to inclose a copy of a letter dated 21st ultimo, addressed to me by Her Majesty's Consul at this place, and to report my proceedings thereon.

Having further conferred with Mr. Morgan on the subject, he acquainted me that the disembarkation would probably take place during the festivities of Christmas, and that by proceeding to Maceio I should be likely to obtain more certain information as to the locality where the attempt would be made; I proceeded to sea the same evening under steam, and having arrived at Maceio on the 24th, communicated with Mr. Bennett, Her Majesty's Vice-Consul, and learnt that there were rumours of some vessels being expected from the coast of Africa, and that Peba, in the vicinity of the Rio San Francisco was suspected as the spot where the landing would take place; but nothing like

satisfactory information could be obtained. I therefore proceeded along the land to that locality on the 27th, and remained cruizing on and off till the 30th, when finding that the vessel could not maintain her position under sail, owing to the south-west current, having lost 60 miles, and not deeming the information to be of a nature to justify my keeping my position under steam, I judged it expedient to return to this place to carry out your orders, Sir, respecting vessels leaving Bahia with slave-fittings concealed under their lawful cargoes; more especially as the President of Alagoas had despatched a body of troops to the neighbourhood of Rio San Francisco, and the Brazilian brigantine-of-war "Legalidade" left Maceio on the 26th, and was to cruize on and off that river for fifteen days; so that allowing the information to have been correct, there would be little chance of their effecting a landing, or if landed, of the slaves escaping into the country without capture.

I continued down the coast under sail, and arrived at this anchorage about noon on the 1st instant.

Trusting my proceedings will meet your approbation,

I have, &c.
(Signed) R. B. HARVEY.

Inclosure 2 in No. 149.

Consul Morgan to Lieutenant Harvey.

Sir, *British Consulate, Bahia, December* 21, 1854.

I HAVE to acquaint you that I have received information that the Sardinian patacho "*Irido*," and Portuguese yacht "*Veloz*" are waiting a favourable opportunity to receive slaves on the coast of Africa, and that it is their intention to endeavour to effect a disembarkation on this coast.

It was first rumoured that the landing was to take place to the southward of this bay, but I have just learnt that the attempt is to be made at some point on the coast of Alagoas.

I have, &c.
(Signed) JOHN MORGAN, Jun.

NORTH AMERICA AND WEST INDIA STATION.

No. 150.

Vice-Admiral Sir G. Seymour to the Secretary to the Admiralty.—
(Received August 30.)

(Extract.) *"Cumberland," at Halifax, August* 17, 1853.

IN compliance with your letter of the 27th July, inclosing copy of a letter from Lord Wodehouse, inquiring whether the statement of Mr. Crawford, that all Her Majesty's cruizers had left Cuba, was correct; I beg to acquaint you, for the information of the Lords Commissioners of the Admiralty, that by my last letters from Jamaica of the 12th July, which, in consequence of the irregularity of the branch packets, have reached me through England, I find that the "Buzzard" had left Port Royal on the 2nd ultimo to cruize off the Isle of Pines for slaves for the rest of the month (having reprovisioned after her arrival from the Havana), and the "Bermuda" schooner had been cruizing from the 8th of June off the eastern end of Cuba for the same object.

The "Daring" was at the Havana on the 28th ultimo, but was about to sail to obtain supplies at Jamaica after her services on the coast of Mexico, where Commander Napier has obtained evidence which is likely to lead to the exposure of the frauds which occurred in the transfer of the notorious slave ship "*Lady Suffolk*" to Mexican ownership. The remaining brig (the "Espiègle") had been sent by the senior officer at Port Royal on the 9th July to Grey Town, in consequence of a report from the British Vice-Consul, and I hope ere this has been available for Cuba.

No. 151.

Vice-Admiral Sir G. Seymour to the Secretary to the Admiralty.—
(Received December 6.)

(Extract.) *"Cumberland," November* 24, 1853.

IN reply to your letter of the 7th instant, forwarding me a copy of a letter from the Foreign Office, relative to the inadequacy of the British force off Cuba for the suppression of Slave Trade, I beg to acquaint you, for the information of the Lords Commissioners of the Admiralty, that on the 11th October the following vessels of the squadron under my orders were on the coast of Cuba, namely, "Espiègle" and "Bermuda."

The "Vestal" was at Havana on the 1st instant, and I expect that before this the "Brisk," "Argus," and "Daring" have proceeded on the same service; also "Buzzard."

Class B.

CORRESPONDENCE

WITH

BRITISH MINISTERS AND AGENTS

IN

FOREIGN COUNTRIES,

AND WITH

FOREIGN MINISTERS IN ENGLAND,

RELATING TO

THE SLAVE TRADE.

From April 1, 1853, to March 31, 1854.

Presented to both Houses of Parliament by Command of Her Majesty.
1854.

LONDON:
PRINTED BY HARRISON AND SONS.

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Class B.

CORRESPONDENCE

WITH

FOREIGN POWERS.

AFRICA. (*Consular*)—*Bight of Benin.*

No. 1.

Vice-Consul Fraser to the Earl of Malmesbury.—(*Received April* 14.)

My Lord, *Lagos, February* 20, 1853.

I CONSIDER it my imperative duty to draw particular attention to this glaring case of kidnapping, breach of Treaty and total defiance of all English authority. After the vast expenditure of life and property to reduce Lagos, I cannot suppose that such things as the enslaving (if only for 22 days) of free blacks, are to be allowed; much more that British merchants should be subject to such insults and inconveniences.

It will be remembered, that during this girl's captivity, she had food she was not accustomed to, and was compelled to sleep on the ground; subject to be sold and transported, nobody knows where, fetished, poisoned, violated or otherwise maltreated or murdered.

By the country law, if you hire a slave, that slave cannot be taken away without proper intimation.

The fact of the case is, that Tinnaboo is as deep in Mr. Sandeman's debt as he deemed it prudent to let her go, and she resorted to this trick as a means of forcing him to open a new account with her. This woman is the terror of the place; King and Chiefs are afraid of her.

No person here can send their female servants out in safety.

I anxiously await your Lordship's instructions for my future guidance.

I have, &c.

(Signed) LOUIS FRASER.

Inclosure 1 in No. 1.

Memorandum.

IN 1851, when Tinnaboo, an Egba female belonging to Lagos, a slave-dealer, was in Badagry, she presented to the late Mrs. Sandeman a black slave girl; this is a very general custom throughout the country. That Tinnaboo was

at the same time clearly given to understand, that from that moment the child would be free (see Declaration). It was also well understood by the people about.

On the 31st December, 1851, Mr. B. Cruickshanks, Justice of the Peace of the Gold Coast of Africa, calling at Badagry, gave the girl her certificate of freedom (see No. 2).

The girl was brought up to the use of European clothing and food, taught needlework, breadmaking and baking, besides many other domestic duties; was never allowed to run wild amongst other country girls, and her aptness was beginning to make a valuable servant of her; moreover her honesty, a rare thing amongst Africans, was so well known that she was entrusted with the charge of the private rooms.

All went on very well until the return of Commander Heseltine and myself to Badagry from Porto Novo. As things then stood, Mr. Sandeman having given us much information and rendered important services, it was not thought prudent that he should remain any longer in Badagry until everything was settled, when he might return in safety. Consequently, he resolved to take a passage down with us and reside in Lagos for the present, leaving his factory to the care of his servants, amongst whom was the girl above-mentioned, whose country name is A-la-bon (keep the house clean), and English one Rosa; with her was left the keys, as a check upon the others.

On the 16th of January, 1853, some eleven days after we left Badagry, I received a letter from Mr. Sandeman (No. 3), drawing my attention to a letter inclosed (No. 4). This letter was addressed to Mr. Sandeman from his clerk at Badagry, wherein is stated that Rosa had been taken away by some of Tinnaboo's people.

Upon the receipt of these letters, I immediately sent to the King and after waiting several hours, he being busy making fetish, obtained an interview and related to him the palaver. He promised to send for Tinnaboo.

In the evening he sent me a long tale about Mr. Sandeman being in Tinnaboo's debt. This was a falsehood and merely intended as a subterfuge.

Returned for answer, that had nothing to do with the case. The girl was a free British subject and must be delivered up to me. That he must send at once to Badagry for her. If Tinnaboo had any charges to make against Mr. Sandeman, she might make them; I would inquire into and settle them.

Sent to say he would see about it on the morrow.

Returned message, that would not do, he must send away at once.

January 17.—Sent to Akitoye to know whether he had sent to Badagry for the girl.

Said he had sent his stick.

Received information that Rosa, the black girl in question, was in Lagos.

Sent to Akitoye three or four times, but my messenger could not gain admittance, on account of all hands making fetish.

At length I went myself and after a little delay was admitted.

Told him I was sorry to interfere with his amusements, but things of great importance must be attended to.

The following dialogue took place:

Vice-Consul.—Had heard that Rosa was in Lagos.

Akitoye.—My stick has not returned from Badagry.

(The fact was, as I afterwards found, his stick never started, the girl being in town the whole time and he knew it.)

V.-C.—You must send for her at once.

A.—I will send for you on the morrow.

V.-C.—Must have the girl to-day.

(Could not get any satisfactory answer.)

V.-C.—If you are afraid of Tinnaboo, I am not; therefore send your stick with me to her.

This he refused and told me to go home.

Reminded him that he was not acting up to his Treaty, and if he did not

give me the girl at once, I must send for the man-of-war's boats and take her by force, which would bring him bad palaver.

A.—Go home! I will send for you in the evening.

V.-C.—I must have the girl; moreover, she was left in charge of Mr. Sandeman's keys and rooms: that Tinnaboo must be held responsible for all losses.

After trying him upon all tacks, I was obliged to give in, upon the following conditions:

That he would send for me and the girl as soon as the people were gone, which promise, it need hardly be said, he did not keep.

18th.—The King sent for me. After much nonsensical palaver, he told me Tinnaboo refused to give up the girl, and as he liked to act with justice, he would not interfere. Upon my threatening him with man-of-war's boats, he coolly replied, I might send for them.

Wrote to senior officer lying in the roads for assistance.

Commander Heseltine answered, that the subject of my letter required investigation! Did it?

On the sixth day (24th) after the above letter was received, Commander Heseltine came on shore, saw Akitoye, and after a long palaver wound up by telling him, he would allow six days to produce the girl.

Why any delay?

The child is in the house adjoining mine.

February 1.—It is reported that Rosa has been handed over to the King.

3rd.—Rosa ran away from the King's place this morning and sought Mr. Sandeman's protection. She has not been washed since she was stolen; if she attempted to take water, of which there was plenty, they flogged her.

She has been kept on prison allowance, two kankies per day.

Inclosure 2 in No. 1.

Declaration.

I, MARY COKER, born in Sierra Leone, do hereby declare that I was present and interpreted, for the late Mrs. Sandeman, at the time A-la-bon (Rosa) the black girl, lately seized at Badagry, was "dashed," country fashion, to that lady; that Tinnaboo was given clearly to understand, that the girl would be free from that moment. That Tinnaboo said she did not care what became of her; she might sell her if she liked. Mrs. Sandeman answered, she never sold such things.

(Signed) MARY COKER.

Declared before me, January 21, 1853.

(Signed) Louis Fraser, *Vice-Consul.*

Inclosure 3 in No. 1.

Certificate.

I CERTIFY that A-la-bon, a black girl formerly a slave of Tinnaboo's, was presented to Mrs. Sandeman by the said Tinnaboo, and that she is henceforth unconditionally free.

Badagry, December 31, 1851.

(Signed) B. CRUICKSHANK,
J. P. on the Gold Coast of Africa.

This certificate of freedom has been given by me as a temporary deed of

manumission to serve for her protection until the Consul can give her one in due form.

B. C.

Inclosure 4 in No. 1.

Mr. Sandeman to Vice-Consul Fraser.

Sir, *Lagos, January* 15, 1853.

I BEG to forward you a letter which I have just received from my clerk at Badagry, and that the girl Rosa mentioned therein was presented by Tinnaboo to my late wife, and is consequently a free girl, having received a certificate from Mr. B. Cruickshank, J. P., of the Gold Coast, to that effect. She was presented to Mrs. Sandeman at Badagry, and is about twelve years old. She was particularly given to understand that she was free; and from the manner in which she has been brought up, it would be a case of very great hardship were she to be again consigned to even domestic slavery.

I am, &c.

(Signed) J. G. SANDEMAN.

Inclosure 5 in No. 1.

Mr. Austin to Mr. Sandeman.

My dear Sir, *Badagry, January* 14, 1853.

ON Wednesday the 12th instant towards the evening I was led to understood that Rosa was taken away by one of Tinnaboo's slave girl. Thinking it was too late to go to her, so I left her till the morning, and send Coker after her; he was told that she was stopt by them because she never intend to come and see them, but she will soon come home. I waited till about 10 o'clock. I send to her again; she will soon come, was there answer. I waited untill the evening and did not see her. I went myself and inquire after her.

There I was told plainly that one was sent properly for Rosa, and they are going to take her away. I told them I would not let her go untill they will hear from you before she will go to Lagos, but they were not willing to let her stopt in the yard untill they go and request from you and there mistress, so I send to make you know in haste, as I could think it with respect to you.

I beg, &c.

(Signed) SAMUEL C. AUSTIN.

Inclosure 6 in No. 1.

Vice-Consul Fraser to Commander Heseltine.

Sir, *Lagos, January* 18, 1853.

I HAVE to request you will give me your support to capture a free black girl that was kidnapped a few days since by Tinnaboo's people. This woman refuses to give her up, and the King (Akitoye) declines assisting me to procure her.

I have, &c.

(Signed) LOUIS FRASER.

Inclosure 7 in No. 1.

Commander Heseltine to Vice-Consul Fraser.

Sir, "*Britomart*," *Lagos, January* 18, 1853.

THE subject of your letter requires investigation. I will endeavour to be on shore to-morrow morning for that purpose, and afterwards take whatever step may be advisable.

I have, &c.
(Signed) A. HESELTINE.

No. 2.

Vice-Consul Fraser to the Earl of Malmesbury.—(*Received April* 14.)

My Lord, *Lagos, March* 3, 1853.

LAST month, when I forwarded an account of the Porto Novo expedition, Commander Heseltine and self were resting in perfect security that the arrival of the Admiral or Consul would free us from the machinations of the missionaries; but how awfully have we been disappointed.

The Admiral did arrive; from him I received letter No. 1, to which No. 2 was my reply.

If a mistake was made last year by placing an improper person as head man (it has not answered, that has been answered by twelve months' trial), why should it be persisted in now, to the ruin of British commerce and the annoyance of the proper Chiefs.

Badagry was the most thriving legitimate trade-place in the Bight until we interfered.

Not a ton of oil is now to be had at this place; whereas Mr. Hutton alone has shipped 1,000 tons within a year. The trade was only opened thirteen years ago, and rapidly increased.

I may observe that Lagos never can be Lagos until the path to Porto Novo is opened.

I have, &c.
(Signed) LOUIS FRASER.

Inclosure 1 in No. 2.

Rear-Admiral Bruce to Vice-Consul Fraser.

(Extract.) "*Penelope*," *off Lagos, February* 25, 1853.

THE effort for mediation between the conflicting Chiefs up the Badagry lagoon, recently made by Commander Heseltine and you, having been unproductive of any satisfactory result, I have to inform you that I cannot sanction any further interference on the part of Her Majesty's naval officers on a similar occasion.

The Chiefs must settle their own quarrels without assistance from us, which can only be legitimately given when British life or property is in impending danger.

Inclosure 2 in No. 2.

Vice-Consul Fraser to Rear-Admiral Bruce.

Sir, *Lagos, February* 27, 1853.

I BEG most respectfully to differ in opinion with you respecting the Badagry palaver. Had it been a country palaver, I have not the least doubt it would have been settled amongst themselves long since. It is a palave

originated by those who, from want of information, or from being misinformed, signed a Treaty, and promised English support to a man (Mayhoo) who has no claim, and, from his past life, cannot be acknowledged by the surrounding Chiefs. Moreover, he has broken that very Treaty by murdering prisoners of war.

Again, British life and property are at stake. Mr. Sandeman, from past circumstances, dare not return to Badagry. What is to become of his house and property? In fact, he is now a ruined man.

The Badagry trade, which used to be considerable, is entirely ruined.

And lastly, by your decision you jeopardize my life. Those who would have suffered from the change will continue my enemies, and those who expected their just rights will consider that I have assisted in deceiving them, and become my enemies also.

After what has passed, can you suppose that any one will take the word of a British officer?

I have, &c.
(Signed) LOUIS FRASER.

No. 3.

The Earl of Clarendon to Consul Campbell.

Sir, *Foreign Office, April* 23, 1853.

I HEREWITH transmit to you, for your information, the accompanying copies of two despatches* from Mr. Louis Fraser, late Her Majesty's Vice-Consul at Lagos; one on the subject of the ill-treatment of a negro girl at that place, the other inclosing the copy of a correspondence with Rear-Admiral Bruce relating to the differences existing amongst some of the native chiefs in the neighbourhood of Badagry.

I am, &c.
(Signed) CLARENDON.

No. 4.

The Earl of Clarendon to Consul Campbell.

Sir, *Foreign Office, April* 28, 1853.

WITH reference to my despatch to you of the 23rd of April, inclosing copies of a despatch and its inclosures which had been received at this office from Mr. Fraser, the late British Vice-Consul at Lagos, relative to his proceedings at Badagry and Porto Novo between the 28th of December and the 7th of January last, I transmit herewith, for your information, a copy of a letter which has been addressed, by my direction, to the Secretary of the Admiralty approving the view taken by Rear-Admiral Bruce of those proceedings.

I am, &c.
(Signed) CLARENDON.

Inclosure in No. 4.

Lord Wodehouse to the Secretary of the Admiralty.

Sir, *Foreign Office, April* 27, 1853.

I HAVE laid before the Earl of Clarendon your letter of the 14th instant (which was received at this office on the 22nd instant), inclosing copies of two despatches from Rear-Admiral Bruce dated the 3rd and 8th of March, and of their inclosures, relative to the proceedings of Commander Heseltine, of Her Majesty's ship "Britomart," and Mr. Vice-Consul Fraser, when they went to Badagry and Porto Novo between the 28th of December and the 7th of January last, and attempted to remove Mayhoo, the reigning Chief of Badagry, and to

* Nos. 1 and 2.

establish in his room Wowoo, who it appears formerly held some authority there.

And I am directed by Lord Clarendon to state to you, for the information of the Lord Commissioners of the Admiralty, that he has read the several papers accompanying your letter, and that he approves the view which Rear-Admiral Bruce took of the attempt in question, and which he communicated to Commander Heseltine in his letter to that officer of the 10th of February. I am also to state that, although Mr. Fraser has already ceased to hold any employment in Her Majesty's service, Lord Clarendon has addressed to him a letter expressing his Lordship's opinion that the language used by Mr. Fraser in his letter to Admiral Bruce of the 27th of February, was highly unbecoming and improper: and I am to add that if Mr. Fraser had not been removed from the Vice-Consulship at Lagos, Lord Clarendon would have warned him against the repetition of such an offence; and would have further instructed him to abstain from interfering in the local quarrels and proceedings of the African chiefs, unless such proceedings should immediately affect the lives or property of British subjects, or the stipulations of Treaties concluded between Great Britain and those chiefs.

A copy of this letter will be sent to Consul Campbell for his information and guidance.

I am, &c.
(Signed) WODEHOUSE.

No. 5.

Vice-Consul Fraser to the Earl of Malmesbury.—(*Received May* 11.)

My Lord, *Lagos, March* 24, 1853.

INCLOSED are copies of six miscellaneous letters that have lately passed between the Admiral, senior officer, and self.

(4) Remains unanswered.

(5) This vessel I have since been informed was the "Jasper," which gave so much trouble to the cruizers in 1851. She met with some obstacles at Cape Coast, but had not been boarded by a man-of-war.

I have, &c.
(Signed) LOUIS FRASER.

Inclosure 1 in No. 5.

Rear-Admiral Bruce to Vice-Consul Fraser.

(Extract.) "*Penelope*," *off Lagos, February* 25, 1853.

I REQUEST you to inform King Akitoye, in reply to a letter he has sent me, that he will be supported at Lagos by every means in my power, and that I advise him to collect friends about him, so as to be always prepared to act in defence of his just rights, and to repel aggression.

Inclosure 2 in No. 5.

Vice-Consul Fraser to Rear-Admiral Bruce.

Sir, *Lagos, February* 27, 1853.

I TRUST you will excuse my delivering your message to Akitoye, for the following reasons:

1st. There is no occasion for it, all being peace and quietness.

2nd. It would be a signal for Akitoye to make war on Jaboo, a thing which

I have had some trouble already to prevent. I have had to tell him that he would not be supported if he continued in the way he has been going.

I have communicated with the King of Jaboo, who assures me he will do all on his part to keep the roads open and improve trade.

I have, &c.
(Signed) LOUIS FRASER.

Inclosure 3 in No. 5.

Vice-Consul Fraser to Rear-Admiral Bruce.

Sir, *Lagos, February* 27, 1853.

I RECEIVED your letters yesterday, but was too ill to answer those addressed to me; the others were distributed.

You must excuse paper, as we have no stationers' shops.

Pray excuse the writing, for I am almost too weak to go through with it.

I have, &c.
(Signed) LOUIS FRASER.

Inclosure 4 in No. 5.

Vice-Consul Fraser to Rear-Admiral Bruce.

Sir, *Lagos, February* 27, 1853.

OUGHT not I, as an officer under the British Government, and placed in such peculiar circumstances, be made acquainted with the contents of official letters which are passing to and fro?

According to the rules of the Foreign Office, copies of everything that passes within the range of my district are forwarded to me for my information, and to be kept amongst the archives of my office.

I have, &c.
(Signed) LOUIS FRASER.

Inclosure 5 in No. 5.

Vice-Consul Fraser to Commander Heseltine.

Sir, *Lagos, March* 21, 1853.

I HAVE received information that upwards of 300 slaves were shipped a few days since at a place called Secco, a little to leeward of Aghwey, in a barque under American colours. The captain's name was Mora.

I have, &c.
(Signed) LOUIS FRASER.

Inclosure 6 in No. 5.

Vice-Consul Fraser to Commander Heseltine.

Sir, *Lagos, March* 21, 1853.

IT will be well to cause all Sardinian and Brazilian vessels to be strictly looked after.

They intend to dress up slave boys and pass them for servants; when they reach the Brazils they are to be sold.

I have, &c.
(Signed) LOUIS FRASER.

No. 6.

Vice-Consul Fraser to Lord John Russell.—(*Received May* 11.)

My Lord, *Lagos, April* 8, 1853.

I SEND you copies of some correspondence with Cabooceer Tappa.

It is a very hard case for Tappa, after doing all in his power to keep the peace, to find Akitoye breaking treaty with him, and coolly walking into his place, and taking his people away.

I have done all in my power to persuade Akitoye to give up this woman; he positively refuses, saying, that Tappa is his slave, and all his people are his.

Akitoye seems bent upon quarrelling with Jaboo; it has been as much as I could do to keep the peace so far.

We are afraid that Tappa will carry out his threat; if so, neither life nor property is safe.

There is no man-of-war here.

I have, &c.
(Signed) LOUIS FRASER.

Inclosure 1 in No. 6.

The Cabooceer Tappa to Vice-Consul Fraser.

(Translation.)

THE Cabooceer Tappa, of Epé, in the country of Jaboo, writes the following:

I have a Treaty with the English nation not to disturb the people of Lagos, and also to live unmolested by them.

A proof of my sincerity is, that when Lagos people has been taken by people of this part, I even bought them to restore them to their country.

At present it happens, that on the last market-day a canoe of Lagos, with eight men belonging to Akitoye has taken one of my women, which I reclaim. I ask as a favour from you, to use all your means that the woman may be restored to me by next market-day; if not, I shall be compelled to act as I think convenient.

P.S.—The King of Jaboo has likewise sent to Akitoye in this affair.

Inclosure 2 in No. 6.

Vice-Consul Fraser to the Cabooceer Tappa.

Sir, *Lagos, March* 22, 1853.

I HAVE seen your letter, and regret that, up to this moment, I have been unsuccessful in persuading Akitoye to do you justice.

I beg of you not to disturb the peace of the country, but wait a little. I am going to Fernando Po by the packet, which will arrive in a day or two. I will lay your case before Mr. Beecroft, who you may rest assured will do his duty towards you.

I have, &c.
(Signed) LOUIS FRASER.

Inclosure 3 in No. 6.

The Cabooceer Tappa to Vice-Consul Fraser.

(Translation.) *Epé, April* 1, 1853.

TAPPA, the Cabooceer of Epé, in the country of Jaboo, writes following:

I thank the Consul for the trouble he has taken to assist my request to have delivered up the negress.

As I have joined into a Treaty with the English nation to live altogether in peace, I will not be insulted; therewith I wish to advise you that I am determined, as I know for certain that Akitoye has the negress in his power.

I request with all civility that she will be given up to me, or I will show him that he has to repent it afterwards. There will be no remedy against it if she is not given up the next market-day.

Inclosure 4 in No. 6.

Vice-Consul Fraser to the Cabooceer Tappa.

Sir, *Lagos, April* 8, 1853.

CIRCUMSTANCES prevented my going to Fernando Po, as stated in my last letter. I wrote for Mr. Beecroft to come up, and fully expect him with the return steamer. She is hourly expected.

Yours of the 3rd of April has been duly attended to, but I regret to say, without success. Notwithstanding all my remonstrances, Akitoye still refuses to give up the woman. I have only one alternative left; that is, to represent Akitoye's conduct to my own Government, which shall be done by this returning mail if Mr. Beecroft should not arrive.

Trusting you will not do anything that will shake that confidence hitherto placed in you by the British Government, but wait patiently till their answer can be received,

I have, &c.
(Signed) LOUIS FRASER.

No. 7.

The Earl of Clarendon to Consul Campbell.

Sir, *Foreign Office, May* 18, 1853.

I TRANSMIT to you herewith copies of a despatch* and of its inclosures, which I have received from Mr. Fraser, late Her Majesty's Vice-Consul at Lagos, stating that King Akitoye had kidnapped a woman belonging to Tappa, a Cabooccer of Jaboo, whom he refused to restore, and that Tappa had threatened to have recourse to force in order to recover her.

I have to instruct you, with reference to this matter, to take measures, in concert with the commander of the first British ship of war which may visit Lagos, in order to impress upon King Akitoye the necessity of keeping peace with his neighbours; and you will state to him that he will not be supported by Her Majesty's Government in any unprovoked aggression which he may make.

I am, &c.
(Signed) CLARENDON.

No. 8.

The Earl of Clarendon to Consul Campbell.

Sir, *Foreign Office, June* 11, 1853.

THIS letter will be delivered to you by Dr. Edward Irving, Surgeon of the Royal Navy, who is about to proceed to the West Coast of Africa in the capacity of lay-agent in the Yoruba country for the Church Missionary Society.

An extract of Dr. Irving's instructions has been communicated to me by the Committee of that Society, and I have informed them that I entirely approve the objects of this mission, and the means by which it is sought to bring them about; and I have accordingly to instruct you to afford every assistance to Dr. Irving, in whose success Her Majesty's Government take a lively interest.

I am, &c.
(Signed) CLARENDON.

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* No. 6.

No. 9.

The Earl of Clarendon to Consul Campbell.

Sir, *Foreign Office, June* 17, 1854.

I TRANSMIT herewith a copy of a despatch which has been received at the Colonial Office from the Governor of Sierra Leone, reporting the measures which he took, in consequence of information received from you, in order to effect the capture of two slave-vessels in the River Pongos.

I am happy to have this opportunity of acknowledging your zealous services for the suppression of the Slave Trade.

I am, &c.
(Signed) CLARENDON.

Inclosure 1 in No. 9.

Governor A. E. Kennedy to the Duke of Newcastle.

My Lord Duke, *Government House, Sierra Leone, May* 7, 1853.

HEREWITH I have the honour to transmit a copy of a letter which I addressed to Lieutenant Bedingfield, commanding Her Majesty's steamer "Pluto," on receipt of which that officer immediately proceeded to the Pongos, off which river he met Her Majesty's brig "Linnet" and Her Majesty's steam-sloop "Firefly" commanded by Captain Seymour, the senior officer on the Northern Division.

2. Captain Seymour furnished Captain Need, commanding Her Majesty's ship "Linnet," with a copy of my letter, upon receipt of which that officer despatched his boats up the river and succeeded in capturing two slavers, a very fine brigantine and a schooner, both fully equipped for carrying slaves.

3. These vessels were without flag or papers to denote their nationality, but from inquiries I have made I believe both to have been fitted out at Barcelona, and that they were bound for Puerto Rico.

4. It is but an act of justice to aquaint your Grace that the information which enabled me to despatch the "Pluto" to the River Pongos was derived through the medium of Mr. Benjamin Campbell, the lately appointed Consul to Lagos.

I have, &c.
(Signed) A. E. KENNEDY.

Inclosure 2 in No. 9.

Governor A. E. Kennedy to Lieutenant Bedingfield.

Sir, *Government House, Sierra Leone, April* 28, 1853.

I HAVE received information from what I consider to be a reliable source, that there are one or two slavers in the River Pongos, waiting a cargo. I am disposed to attach weight to this report, from the knowledge that a number of adult slaves have been conveyed overland from the Sherbro to the Pongos within the last ten days.

If it does not, therefore, materially interfere with your instructions, I would request that you proceed without delay to ascertain the truth of this report.

You will be furnished with the names of the chiefs in that river who are in treaty with Her Majesty's Government for the suppression of the Slave Trade upon whom you have a right to call for information and assistance.

If you find any of these chiefs carrying on the Slave Trade in contravention of the terms of their Treaty, you will be justified in inflicting such punishment as you see fit.

I have, &c.
(Signed) A. E. KENNEDY.

No. 10.

Vice-Consul Fraser to the Earl of Clarendon.—(*Received July* 14.)

My Lord, *Lagos, May* 30, 1853.

I INCLOSE you copies of two letters, Nos. 1 and 2, respecting a slaving transaction which has taken place; at present it would appear there are only four persons concerned in it, but I have reasons to believe there are many others, but proofs are so difficult to obtain.

You must not suppose that it is the virtuous indignation of Akitoye or Domingo Martinez that brought the affair to light; it is some quarrel amongst them. Akitoye has robbed and annoyed this person, Amadie, in every possible way, ever since I have been here.

I have endeavoured to persuade Akitoye to liberate Amadie, not that I wish to protect him, but the precedent is so bad—a black man having so much power over a white one: if he is supported in this, no trader along the coast will be safe. Hitherto a white man has been looked upon as a kind of fetish.

I have desired Akitoye to seize the chiefs who sold the slaves; this he indirectly refuses to do, by saying he cannot find them, and those names mentioned by Amadie he pretends to doubt the truth of; they are his own partisans and therefore must be screened.

I am awaiting the arrival of the senior officer and shall consult with him; by next mail I hope to give you more information.

If Secco, the place where the last two shipments took place, is not made an example of, we shall have lots of work.

Domingo Martinez has obtained permission from Mayhoo of Badagry to erect a large barracoon at Ajuda, a little to leeward of Badagry. I have reported it to the senior officer.

I have, &c.
(Signed) LOUIS FRASER.

Inclosure 1 in No. 10.

King Akitoye to Vice-Consul Fraser.

Sir, *Lagos, May* 25, 1853.

I MUST of course inform you that there is a party here, at Lagos, who has been in the habit of carrying on the Slave Trade, and as I have a plain proof about it, I have imprisoned some of them already, and will imprison others who have hands in it. This, as I think, the Treaty with the Queen of England authorises me to do.

With humble regards, &c.
(Signed) AKITOYE.

Inclosure 2 in No. 10.

M. Amadie to Vice-Consul Fraser.

Sir, *Lagos, May* 27, 1853.

I BEG to address you these few lines, and trust you will give me a few moments' attention.

The early part of this month I send up to windward some slaves, who unfortunately on arriving at Porto Novo were captured by M. Domingo José Martinez and send back to Lagos, probably as a vingance of some intrigue against me.

It is said that the said slaves came from Porto Novo all the way allong the beach only to prevent them falling again in Mayhoo's hands at Badagry,

M. Domingo probably fearing that Mayhoo, being the person to whom they were forwarded to Porto Novo, might conceal them to screen himself.

I have bought slaves from three chiefs of this place, whose names are Sabah, Agahy, and Agassy, besides from some boys whose names I do not know.

The one of this chiefs named Agassi not only sold me some slaves, but, having left them in his hands to forward them to Porto Novo, he never sent them.

On the 21st of this month I was called by the King, and without the least inquiry or questions put to me, they put me in confinement, and here I have been till the present moment.

I am perfectly aware that by the same Treaty which prohibits the dealing in slaves at Lagos I lay myself open to be expelled from the island, but not to be kept in confinement.

As you are the only lawfull constituted authority of a civilized nation on the spot, I most respectfully implore your protection, and beg you to see that justice is done to me, and in the same time I beg to protest solemnly against the arbitrary proceeding of the King in the case, which I hope will be intimated to the King.

I do not implore for mercy but for justice, and have, &c.

(Signed) AMADIE.

No. 11.

Vice-Consul Fraser to the Earl of Clarendon.—(*Received July* 14.)

My Lord, *Lagos, May* 30, 1853.

THE non-arrival of Mr. Campbell, the Consul, is putting me to great inconvenience and risk; expecting to return to England I parted with all my rainy-season gear to those who were to remain, and here I am, with the rains set in, and myself in a destitute condition.

I have had much difficulty in keeping the peace between the King's party and the two most powerful chiefs on this island; I am sorry to say that the King has some very bad advisers about him.

Something must be done for Lagos, and that quickly.

Akitoye says when he was driven away he left behind him plenty of wives, boys, and property, and he must get them back again.

With this notion in his head, he is always causing commotions; unfortunately he has too many to assist him, as will be seen by the copy of a letter (No. 1) I received from the King. It was afterwards sent round the town. Both Messrs. Townsend and Gollmer must know that its contents are not true. If Agineah or Possoo were to be seen by Kosoko they would lose their lives. Besides these men were induced to settle in Lagos, by the promise of English protection, for the purpose of protecting the island; then why try to irritate the King and his more intimate friends against them? The Abbeokutans are ready enough to join in the cry of "Kosoko, Kosoko;" then people are afraid to send their canoes to Jaboo, and the Egbas get all the trade.

No. 2 is a copy of a complaint of one of the above named chiefs which I received some time back. I forward it now as it bears upon the subject.

If this place is only properly managed, the trade will be incredible.

Agineah has applied to me for permission to settle in some other place; I cannot think of parting with him, it would paralyze the trade; it is Akitoye that must be kept from annoying him.

I have, &c.

(Signed) LOUIS FRASER.

Inclosure 1 in No. 11.

The Rev. H. Townsend to the Rev. C. A. Gollmer.

My dear Brother, *Abbeokuta, May* 21, 1853.

I AM requested by Sagbua, Ogubonna, and other Chiefs of Abbeokuta, to write to you. They beg me to state, for your information and that of all whom it may concern, especially any British authority, if there be any in Lagos, that they have heard through the Ijebu people that Kosoko is using means to regain possession of Lagos, and that Agineah, Possoo, and others, are in secret alliance with him, and using means, either by promoting civil commotions, or that of arranging to aid an attack from Kosoko, to obtain possession of Lagos again for him. They earnestly beg that you may be on your guard, especially against the efforts of the secret friends of Kosoko, that is Possoo, Agineah, and others, they have every reason to rely on the information they have obtained.

I think that it would be wise to bring the Consul* or the Senior Officer in the Bight acquainted with the state of things, for a second Badagry affair may take place if precautions are not used. The Slave Trade party have lost too much to take it quietly without an effort to regain their lost power.

I remain, &c.

(Signed) H. TOWNSEND.

Inclosure 2 in No. 11.

The Chief Possoo to Vice-Consul Fraser.

Sir, *Lagos, March* 14, 1853.

I AM in a perilous situation, and as I returned here by permission of the English, I think it becomes me to lay my complaints before you as the Representative of the British Government.

Archessi, Arshorgbon, Shoeunu, Sabba, all of them Chiefs, and Tinubu, have been plotting against me, for this simple reason that I monopolize all the trade. The conference was held six days ago at Tinubu's house. Traders bring me oil, which I buy, and sell again to the merchants, who pay my due. They say that I ought to share my profit with them when they choose to be idle. We all, as Chiefs, have equal claim to the trade. I have never prevented any man from selling to the merchants, nor am I the King to do so.

The other day my boy took a sheep to one of the merchants, Senhor Marquo, for sale. Fagbemi, one of the hostile party, inquiring whose boy he was, told him Possoo's, and immediately Fagbemi unsheathed his sword, and cut the string with which the creature was tied and drove him away. I sent to ask the King whether he has not heard how I am being annoyed by these men. "No," replied he, "I know nothing of it." Since then the King sent to call me, but I begged him to excuse me, partly because I was unwell, and partly because my enemies are only watching for an opportunity to kill me. They, moreover, went and slandered me to the King, by saying that I disobeyed his orders, which at once shows that I am preparing to fight against him. Suppose a man were to take a piece of meat in one hand, and were to hold a sword in the other, and to invite a dog to come and take the piece of meat. Will he go conscious of his life being in danger? I write this, not because I am afraid of them, but because I wish every one to see my right, and to show that I have committed no offence against these malicious people.

I am, &c.

(Signed) POSSOO.

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* This refers to Mr. Beecroft.

No. 12.

The Earl of Clarendon to Consul Campbell.

Sir, *Foreign Office, July* 18, 1853.

I TRANSMIT to you herewith copies of two letters* addressed by Akitoye, the recently restored Chief of Lagos, to the Commander-in-chief of Her Majesty's Naval Forces on the West African station, complaining of the conduct of Mr. Fraser, late British Vice-Consul at Lagos, and requesting his removal.

And I have to instruct you to make a report to me respecting the grounds of the complaint made by King Akitoye against Mr. Fraser.

I am, &c.
(Signed) CLARENDON.

No. 13.

The Earl of Clarendon to Consul Campbell.

Sir, *Foreign Office, July* 30, 1853.

I TRANSMIT to you herewith copies of two despatches† which I have received from Mr. Fraser, late British Vice-Consul at Lagos, one reporting that a person named Amadie had been imprisoned by King Akitoye on a charge of Slave Trade, and the other relating to a charge brought by the Rev. Mr. Townsend, a Missionary at Abbeokuta, against Possoo, a Chief of Lagos, of being in secret alliance with the ex-King Kosoko with the view of restoring him to power.

I have to desire that you will make inquiry into the circumstances stated in the inclosed despatches, and report to me thereupon.

I am, &c.
(Signed) CLARENDON.

No. 14.

Consul Campbell to the Earl of Clarendon.—(Received August 16.)

(Extract.) *Sierra Leone, July* 5, 1853.

THE report of the capture of two vessels in the Rio Pongos by the boats of Her Majesty's sloop "Linnet," and of their condemnation in the Vice-Admiralty Court of this colony for being found fully equipped for Slave Trade, has doubtless reached your Lordship through Her Majesty's Secretary of State for the Colonies.

The reports of the condemnation of these vessels furnished by the Courts of Vice-Admiralty being usually very meagre of information respecting them, it will not, I hope, be thought out of place my forwarding to your Lordship from this such information as I have been able to obtain respecting these two vessels.

One was a brigantine, Spanish build, nearly new, and a beautiful model of a modern merchant-vessel, combining capacity of stowage with great speed, and of about 150 tons old measurement; the other, a fore-topsail schooner, of the usual Baltimore clipper build, heavily masted, and of about 69 tons new measurement. Both, there is little doubt, sailed from the port of Barcelona (and would be reported to your Lordship by Her Majesty's Consul at that port), fully equipped for the Slave Trade, and proceeded to Rio Pongos, where they delivered as cargo about 100 pipes of the common Barcelona brandy, and 25,000 dollars in Spanish doubloons, not those of the Republican States of South America usually brought to this coast by vessels fitted out from Cuba. These, with the brandy, were bartered for 700 slaves.

* See Class A, Inclosures 1 and 2 in No. 122. † Nos. 10 and 11.

At the time of the capture of these vessels about two-thirds of the number of the slaves were collected.

The two vessels evidently formed one expedition: that is, were fitted out by one interest, and they were under the direction of one supercargo, or director, who, immediately after their capture, came to this place and took his passage in the May mail-packet "Forerunner," for Teneriffe, from which place he would be able to reach Barcelona in the steam-packet plying between those islands, Cadiz, Barcelona, &c.

During the few days' stay of this person in Freetown, in conversation with other strangers then in this place, he made light of the capture of the vessels, regarding it a comparatively trifling loss, and easily replaced.

The names of these vessels have been studiously concealed. The brigantine was condemned as the "*Paulina*," but she has been also called the "*Pinar*" and the "*Anana*." The name of the schooner is quite unknown.

I have given the senior naval officer of this division of the station every information in my power respecting the Slave Trade in this quarter, and I have recommended him to keep a vigilant look-out for vessels towards the end of this month arriving to take off the 700 slaves from the Rio Pongas.

No. 15.

Consul Campbell to the Earl of Clarendon.—(*Received September* 10.)

My Lord, *Lagos, July* 23, 1853.

AFTER taking over the Consular archives and Government stores from the late Vice-Consul this morning, Mr. Fraser stated to me that he was in possession of 3 boys and 1 girl, slaves, which had been given to him as presents.

I was so surprised with this statement when made, that at the time I merely remarked, that it was highly improper to receive such presents, and that their retention led to trouble and embarrassment.

It appearing by the correspondence of Mr. Fraser, copies of which were forwarded to me for my information in your Lordship's despatch dated the 23rd of April last, relative to a slave girl stated to have been presented to the late Mr. Sandeman by a woman of this place named Tinnaboo, who, after the death of Mr. Sandeman, regained possession of the girl; and from a correspondence between his Excellency Governor Hill and Mr. Consul Beecroft, which I found awaiting my arrival, relative to another slave girl, given to a Cape Coast native named Brown, and subsequently seized by some petty Chief; that it is a common practice with British subjects, and others claiming British protection, to accept from the natives slave children as presents; and deeming the acceptance of slaves not only highly objectionable, but absolutely illegal if they are employed in any manner for the benefit of the recipients, I think it my duty to warn British traders residing within the limits of this Consulate against accepting such presents for the future.

With this view I have drawn up a notice, in the way of a caution, that I purpose forwarding by the first opportunity to Governor Kennedy, with a request that his Excellency will be so good as first to submit the same to Mr. O'Neill, Her Majesty's Advocate for the Colony of Sierra Leone, for his opinion whether I have taken a correct view of the illegality of British subjects using the services of slaves received as presents; and if so, to pray him to order 100 copies of the "caution" to be struck off at the Government press in Freetown, and forwarded to me for distribution within this Consulate.

I hope to receive your Lordship's approval of the step I am about to take in this matter, prior to receiving the printed notices from Sierra Leone.

I have, &c.

(Signed) B. CAMPBELL.

No. 16.

Consul Campbell to the Earl of Clarendon.—(*Received September* 10.)

My Lord, *Lagos, July* 28, 1853.

AS it appears that great prejudice is entertained by persons engaged in mercantile pursuits on this part of the coast against the missionaries,—particularly against those residing at this place,—I deem it my duty to inform your Lordship how, and from what cause, this unworthy and unjust feeling seems to me to arise.

This place, in common with all the trading towns in the Bight of Benin and Biafra, has been for generations the quarter from whence an extensive Slave Trade has been carried on. The vile traffic having been to a great extent put down by the persevering efforts of Her Majesty's Government, and so narrowed in its operations that those formerly engaged in it, and who had some means left —Spaniards, Portuguese, and Brazilians—gave up the contest waged against them and returned to their respective countries, leaving on the coast, with a few exceptions, the very dregs of the former pursuers of this odious traffic; these, to obtain a livelihood, have resorted to the legitimate traffic now springing up in all the former abodes of the Slave Trade.

To participate in this new traffic, Englishmen, Frenchmen, and Germans have formed establishments in the trading towns, and in them they found, on their arrival, the Portuguese slave-dealer, long settled there, and struggling with his limited means to obtain a living by trading in palm-oil, &c., already possessing that which the new settler has to acquire—local knowledge of the country, experience, and an acquaintance with the people, their language, and the localities where the largest and most profitable trade is to be made; these advantages he proffers, with his services, to the new comer, and receives from him an assortment of merchandize, which is to be paid for in palm-oil, or other produce, and thus a connection is formed between them.

The comparatively small profit on legitimate trade does not, however, altogether satisfy the slave-dealer. A slave vessel, having escaped the vigilance of our cruizers, and reached her hiding-place in safety, revives his hopes, and he launches again into the detestable traffic, pacifying the demand of his legitimate trade creditor for oil with a part payment in that article and the remainder in specie received for the slaves he has sold. He is now loud in his execrations against the English Government and the missionaries. The legitimate trader, at length, finding his interest in a manner interwoven with that of the slave-trader, joins in the outcry against the missionaries, which is also taken up by the Mahomedan portion of the population, and echoed by the disaffected who are to be found in all communities.

One reverend gentleman, Mr. Gollmer, appears to have been a particular object of jealousy and animadversion. To any one acquainted with the efforts made by this gentleman, for years past, to enlighten the natives with the truths of the gospel, and who has had the pleasure of personally observing him in his most useful labours, the prejudice raised against him can be no matter of surprise; for, confident in the righteousness of the cause to which he has devoted himself, gifted by nature with a serene and cheerful temper, a sound constitution, and an active energy, he pursues his onward course in a cause upon which he seems to have set his whole heart, and, having mastered the language of the country, he, with an earnest zeal and untiring patience, heedless of the sneers, taunts, and obstructions from heathens, Mahomedans, or slave-dealers, goes on with his truly useful labours, personifying the devout, zealous, and fearless disciple of his Divine Master, and literally obeying his command to go forth into the land of the heathen and preach His word.

That the labours of such a man should be in antagonism with the interests of a portion of this community is naturally to be expected. He is, however, not left without his consolation, for he enjoys the respect and confidence of the peaceable and well-disposed, whether Chiefs or people, and the many liberated Africans residing here. Those who are flocking homeward, from Sierra Leone to Yoruba, and who have embraced Christianity, sensible of the great change

which has been made in their condition, and that they owe all their moral, and much of their material, elevation to missionary teaching, do not fail to call at the mission house at Lagos to express their gratitude to one whose sympathies they well know will follow them to the homes from which they were torn.

I have, &c.

(Signed) B. CAMPBELL.

No. 17.

Consul Campbell to the Earl of Clarendon.—(*Received September* 10.)

(Extract.) *Lagos, July* 30, 1853.

ON my passage to this place, I landed at Accra, and learned from Lieutenant and Adjutant Hill, of the Gold Coast corps, that, during the last month, no less than three vessels took off cargoes of slaves, about 350 each, from the trading-port of Aghwey.

Lieutenant Hill stated to me that he was at Aghwey and saw the vessels lying off the port; one hoisted American, two Spanish, colours.

On board the "Forerunner" was a Mr. McKrosky as passenger and trading agent for a mercantile firm on the Gold Coast, who confirmed in every particular Lieutenant Hill's statement; and, if I recollect rightly, he stated he was present at Aghwey when the slaves were shipped and the vessel sailed.

On my arrival at Lagos, I learnt that the principal portion of this large number of slaves had been sent from this town by the Portuguese traders, who have returned here evidently against the wishes of King Akitoye and a majority of his Chiefs: for they imprisoned a M. Amadie, a Hungarian by birth, seized seventeen slaves he was on the point of sending away, and also imprisoned the native agent employed by him, a man named Antonio Martini, but usually called Ojoe Martini, the former (Ojoe) being his native name. This man, a Yourobean, was formerly shipped from this place as a slave to the Brazils. There he regained his freedom, and acquired, for a man of his condition, considerable property, with which he returned to this place, built himself a large and very good country-house, and, on his premises, keeps, it is said, about 200 slaves, domestic ones, and a great many concubines, and has two fine Brazilian horses, and some native ones, on which he rides about in great state.

The Hungarian is represented to me as a man of good education and address, and appears to be one of those clever, restless men who, having engaged in a disreputable calling, have, while pursuing it, to go through every phase of life between wealth and poverty.

To imprison two such men for slave-trading was an energetic step on the part of Akitoye and his Chiefs; and, had they been properly supported by a representative of Her Majesty's Government, I have no doubt they would have extended this measure in the right direction against other slave-dealers. They were, however, without any other support than the silent approbation of the missionaries; and, yielding to the pressure made on behalf of Amadie and Ojoe Martini by Mr. Fraser and other Europeans, and the numerous Mahomedans, the former was allowed to run away, and the latter was let out of prison and fined, $2,000 which, however, I am informed has not yet been paid.

The imprisonment of these men caused great annoyance to, and excitement among the Portuguese and their associates; and two Chiefs of Akitoye's Council of Eight, Agineah and Pellew, whose allegiance it appears was always doubtful, withdrew themselves from their attendance on the King, entered into correspondence with Kosoko, the expelled Chief, now living under the protection of the King of Jaboo, and prepared themselves to oppose the authority of Akitoye. These intentions, I regret to say, were greatly aided by the inopportune arrival off Lagos of two English trading-vessels, the barque "Lydia," of Liverpool, and the brig "Hope," of Bristol; and, on my assuming my Consular duties, I found that considerable quantities of muskets and powder had been landed from these vessels, bought principally by the Portuguese, and by them sold to the discontented Chiefs and the Mahomedan population who support them; and the greatest excitement and alarm reigned in the town.

The Portuguese and their party having misled the two rebellious Chiefs as

to the nature and object of my appointment to this place, they refused for some time, at my solicitation, to wait upon me, in order that I might explain it to them, and urge them to abandon their evil intentions; only one of them, Agineah, called on me, the other, Pellew, returned an uncivil answer by my messenger.

The inclosed copies of a warning I issued to the Portuguese residents, and of my correspondence with the master and supercargoes of the two English vessels, will explain to some extent to your Lordship the steps I took to calm down the excitement and alarm I found existing on my arrival, and which continued for some days after. All trade is suspended, from the fear of visiting Lagos, and labour is at a standstill; every one looking after his own security and that of his family.

I have unfortunately been without the support of any of Her Majesty's cruizers. The "Polyphemus," senior officer's ship, had to tow the mail-steamer "Faith" to Sierra Leone; the "Waterwitch," after Captain Gardner had landed and introduced me to the King and Chiefs, had to look after a suspicious Portuguese vessel; and the "Spy" has been to Ascension for provisions. She, however, returned and anchored off the Bar since my arrival; but before I could send a letter on board, again sailed without communicating with the town.

The Admiral, I am told, will shortly be here. On his arrival I shall wait upon him and explain the state of things at this place; and I hope that, with his assistance and counsel, order and confidence will be restored, and such measures taken as will prevent either discontented Chiefs or slave-dealers from interrupting the legitimate trade, which even now is considerable, and will, when peace and tranquillity reign here, expand to an extent beyond all the sanguine expectations that have been formed of it.

I ought to inform your Lordship that the armed retainers of the two discontented Chiefs have been variously estimated to me, at 2,000 to 5,000. This number is no doubt considerably exaggerated; but taking them at 1,000, these being joined by the Mahomedans, the evil-disposed, and the Portuguese followers, in all about 1,000 more, would be a sufficient number to create a great disturbance, cause the loss of many lives, and do much mischiefs.

P.S.—*July* 31. Her Majesty's brig "Spy" anchored off the Bar last evening; the "Waterwitch" this morning.

Inclosure 1 in No. 17.

Consul Campbell to the Portuguese Residents at Lagos.

Lagos, July 25, 1853.

HER Britannic Majesty's Consul having learnt that the Portuguese residents have been for some time past inciting two of the Chiefs of Lagos to rebel against the authority of King Akitoye, and that within the last three days certain of the Portuguese have supplied these rebellious Chiefs with arms and gunpowder, hereby cautions the Portuguese residents at Lagos that they will be held responsible for any disturbance that may arise, and that the Admiral Commander-in-Chief of Her Britannic Majesty's naval force on this coast, shortly expected to arrive off Lagos, will visit with his extreme displeasure those who incite the natives to take up arms against their lawful Chief Akitoye.

(Signed) B. CAMPBELL.

Inclosure 2 in No. 17.

Mr. Farry to Consul Campbell.

(Translation.)

ON the 25th instant I received an official letter directed to me and all Portuguese residents here; I therefore waited upon them the day following, understanding to fulfil your request by communicating to them the contents of the official letter. I was answered that they have already represented the case in a petition that was taken to you by Mr. Sandeman; therefore, I have only to answer for myself.

It is true that I have negotiated in guns and powder, because such commodity has been brought into the market which the present there is no prohibition, but from this time forward I will not sell, or cause to be sold, these articles of merchandise without the consent of Her Britannic Majesty's Consul. Affirming, nevertheless, that the negotiation was with the people, indistinctly, and never with a Chief of any party particularly, which I beg you will give it due consideration.

I avail, &c.
(Signed) M. B. FARRY.

Inclosure 3 in No. 17.

Consul Campbell to Captains Price and Langdon.

Sirs, *British Consulate, July* 26, 1853.

IT having come to my knowledge from a representation made to me by the King of this place that great alarm exists in the minds of the peaceable part of this population in consequence of the threat made by two rebellious Chiefs of Lagos, that they will dethrone the King, destroy the Church Missionary Establishment and its peaceable inhabitants, and it being a matter of notoriety that through the agency of some of the Portuguese residents and others these Chiefs have obtained from one or both the English vessels off the Bar a large supply of muskets and powder; I have to request you will inform me, for the information of Her Majesty's Government, what quantities of muskets, or other trade, guns, and powder, have been landed at this place from your vessel, to whom the same has been sold, and what are the articles to be delivered in payment.

I have to acquaint you, and your consignee should on your first arrival have also acquainted you, that on King Akitoye being restored to his Kingship at this place, he promulgated a law which had the entire sanction of the Rear-Admiral Commander-in-Chief of Her Majesty's naval forces on this coast, "That no guns or powder should be landed on his territories from any vessel whatever."

I have, therefore, to request you will not again commit a breach of the law of this place. The muskets and powder already landed, a very great quantity I am informed, have created very great excitement and uneasiness, and disturbed the peace of Lagos.

I must remark that as you must be well aware Her Majesty has honoured me with the appointment of Consul for the Bight of Benin (Cape St. Paul's and Cape Formosa), and that I have for several days assumed my duties, that you have as yet omitted to wait upon me.

I have, &c.
(Signed) B. CAMPBELL.

Inclosure 4 in No. 17.

Captain Price to Consul Campbell.

Sir, *Lagos, July* 26, 1853.

I HAVE to acknowledge the receipt of your official letter of to-day's date; and in reply, I was not aware of any law prohibiting the landing of muskets and gunpowder, and have as yet only sold to Signor Marcus and Mr. Hanson, the former 300 guns and 30 barrels of powder, and 160 guns and 40 barrels to the latter; but owing to the late unfavourable weather, Mr. Hanson's order has not been landed.

My not having called on you to pay my respects, was owing to indisposition. Would you favour me with a reply, stating whether I can complete Mr. Hanson's order?

I may state, that the guns and powder were sold, as is customary, with an equal proportion of cotton goods.

Waiting your reply, I am, &c.

(Signed) C. T. PRICE,
Barque "Lydia."

[*Consul's Remarks.*—The barrel of powder contains 100 lbs.; the quantity admitted by Mr. Price to have been sold to two parties, is 7,000 lbs., 4,000 of which he states was not landed. The Consul has received information on which he can rely, that Signor Marcus has delivered to Agineah at least 500 muskets.—B. C.]

Inclosure 5 in No. 17.

Captain Langdon to Consul Campbell.

Sir, *Lagos, July* 26, 1853.

I BEG to acknowledge the receipt of your letter of to-day, in which is stated, that some of the powder and guns obtained from me by the Portuguese residents and others, have come into the possession of two Chiefs, supposed to be disaffected towards the present government of this place.

I have to inform you, that I have sold the above-named articles only to Messrs. Sandeman and Conto, the quantity being of powder, 90 barrels, of guns, 34 cases; and I am aware that the whole, or greater part, have been disposed of to Akitoye or his party: payment for them was to be in palm-oil.

In regard to my being aware of a law existing, prohibiting the importation of guns and powder to this place, I may inform you that I have no consignee on the coast, nor was I cognizant of the existence of any such law; and had Akitoye been desirous of enforcing the law, he had every opportunity of doing so, as there was no secrecy maintained in landing or disposing of the articles.

Respecting my not having before called upon you, I hope you will not look upon it as arising from any disrespect to you or your office; but from the place and private manner of your residence, I had believed you had not then assumed your duties.

(Signed) W. H. LANGDON,
Master and Supercargo, Brig "Hope," of Bristol.

Inclosure 6 in No. 17.

Consul Campbell to Captain Price.

Sir, *British Consulate, July* 26, 1853.

I AM in receipt of your letter in reply to mine of this day, requesting you to inform me to whom you have sold muskets and powder at this place.

With regard to your request to be favoured with a reply as to whether you

should deliver the quantity of guns and powder sold to Mr. Hanson, which the weather had prevented being landed, I would strongly recommend you to land no more guns and powder for any person whatever.

I have, &c.
(Signed) B. CAMPBELL.

Inclosure 7 in No. 17.

Captain Price to Consul Campbell.

Sir, *Lagos, July* 29, 1853.

AS I have arrived here for the purpose of trading, with a cargo especially adapted for the Lagos market; and as I have already landed and nearly sold all my cotton goods, leaving my guns and powder (a large proportion of my cargo) unsold; I request you to inform me, for the benefit of my owners in Liverpool, if you, as Her Britannic Majesty's Consul here, prohibit me from selling the same at this place. I request you will give me a definite answer, as I am about writing to my owners per this mail.

I have, &c.
(Signed) C. T. PRICE,
Barque "Lydia."

[*Consul's Remarks.*—Mr. Price, in the last paragraph of his letter of the 26th instant, states that he had sold his guns and powder, as is customary, with an equal proportion of cotton goods.—B. C.]

Inclosure 8 in No. 17.

Consul Campbell to Captain Price.

Sir, *Lagos, July* 29, 1853.

IN reply to your letter of this day, requesting to be informed if, as Her Majesty's Consul, I prohibit you from landing any more guns and powder at this place, and informing me that having landed and sold the greater portion of your cotton goods, a large quantity of your guns and powder remain on hand unsold; I do distinctly, as Her Majesty's Consul, for the maintenance of peace and the security of the persons and property of the peaceable and well-disposed portion of this community, whether British subjects or natives, prohibit any more guns and powder to be landed and sold, either at this port or at Porto Novo to the westward, and the port of Jaboo to the eastward of Lagos, from British vessels; and I shall be fully prepared to justify myself to Her Majesty's Government for having taken this step whenever your owners may think proper to complain of it.

In the meantime I will remark, that it is very well for you to study no other interests but those of your owner and yourself, he living in peaceful security in his comfortable home on the banks of the Mersey; you, after having conveyed all your oil to a place of security—the beach—for embarkation, having only, the moment hostilities break out, to step into your boat, proceed on board your vessel, and from the deck calmly look on the blazing town; and being out of harm's way from the discharge of the muskets and powder you have sold, calmly regarding no other effect than the profit made on their sale.

But I have far other and much more important interests to take into my consideration, and to guide my conduct in this matter, than the effect of the mere disassortment of your cargo.

If, as you state, your cargo was laid in specially adapted for the Lagos market, a great error, and I may add evil, has been committed, by allowing guns and powder to form so large a proportion of it.

I have, &c.
(Signed) B. CAMPBELL.

No. 18.

Consul Campbell to the Earl of Clarendon.—(*Received September* 10.)

My Lord, *Lagos, August* 3, 1853.

I HAVE the honour to inclose, for your Lordship's information, copy of a correspondence I have had with Mr. Fraser relative to the 4 slave children he stated to me he had received as presents from some natives.

I trust that your Lordship will consider that I exercised a proper discretion in dropping all further correspondence with Mr. Fraser on this subject, on the receipt of his second letter.

Learning that two of the children had been presented to Mr. Fraser by King Akitoye, I sent word to the King to possess himself of them. He sent the boy to me by a messenger, and by him informed me that he had not absolutely given the boys to Mr. Fraser; that seeing him without attendants, he had lent the boy to him to wait upon him during his stay at Lagos.

I learnt from the boys that another boy, lent to Mr. Fraser by one of Akitoye's Chiefs, had run back to his master. I could obtain no information respecting the girl.

Her Majesty's Secretary of State has, some few years since, addressed a circular to all functionaries of Her Majesty residing in countries where Slavery exists, desiring them not even to hire slaves for employment in their households; and Mr. Fraser's acceptance of these children, under any conditions, from their owners, was such a departure from the injunction of Her Majesty's Secretary of State, that I deemed it my duty to report the same to your Lordship.

I have, &c.
(Signed) B. CAMPBELL.

Inclosure 1 in No. 18.

Consul Campbell to Vice-Consul Fraser.

Sir, *Lagos, July* 28, 1853.

WHEN taking over from you the archives of your two Vice-Consulates, you informed me that you had in your possession 4 slaves—3 boys and a girl—which you had received as presents.

I have to request you will inform me, for the information of Her Majesty's Secretary of State for Foreign Affairs, how and in what manner you intend disposing of these 4 slave children.

I have, &c.
(Signed) B. CAMPBELL.

Inclosure 2 in No. 18.

Vice-Consul Fraser to Consul Campbell.

Sir, *Lagos, July* 29, 1853.

I BEG to acknowledge the receipt of your letter of yesterday's date.

I could not have clearly expressed, or you must have misunderstood, my meaning, if you believe, from what I have said, that I had in my possession 4 slaves.

The children to whom I alluded were given into my charge by their parents; the boys merely as attendants, and for the purpose of learning some of the usages of civilized life.

I have no further claim over them than over any other servant; and shall like them, on my departure, to be recommended to other employ.

The girl, a Brazilian, is where she has ever been, in the house of her parents.

I have, &c.
(Signed) LOUIS FRASER.

Inclosure 3 in No. 18.

Consul Campbell to Vice-Consul Fraser.

Sir, *Lagos, July* 29, 1853.

I AM in receipt of your letter of this day, in answer to mine of yesterday, calling on you to inform me how you purpose disposing of the 4 slave children you stated to me you had received as presents.

I cannot admit for a moment that I was mistaken in what you said relative to these children. Your statement of so extraordinary a circumstance as that you had accepted slave children as presents, not only made an impression on my memory not easily effaced, but also on the memory of my clerk Mr. Westlake, who was present when you made the statement, and whose recollection is as clear as my own on the subject.

But as you now state they are free children, and were given into your charge by their parents, merely as attendants, for the purpose of learning some of the usages of civilized life, it would be satisfactory to Her Majesty's Secretary of State if you enable me to report that you have placed these children in my hands, with the names of their parents, and that I had sent for the parents, and returned their children to them.

I have, &c.
(Signed) B. CAMPBELL.

Inclosure 4 in No. 18.

Vice-Consul Fraser to Consul Campbell.

Sir, *Lagos, July* 30, 1853.

IN sending you the explanatory answer which I did, to your letter accusing me of not only holding, but wishing to dispose of, slaves, I was guided solely by not wishing to quarrel.

Your answer appears to me to imply a doubt on the subject, which, as an officer in Her Majesty's service, I cannot permit to pass unnoticed.

As you seem to be inclined to take the matter up officially, instead of the friendly manner which I had every right to expect from the similarity of my late position and your present one, I cannot consider it otherwise than a direct insult, your demanding that the parties referred to should be returned to their parents through you; thereby implying that I am not to be trusted to do so myself; and I consequently must now inform you that the two offences with which you have charged me, viz., that of holding slaves, and how I am to dispose of them, are not only illegal, but derogatory to the character of an Englishman, much more to an officer in the pay of Her Majesty's Government.

I presume you are prepared with proofs to support the above charges; otherwise you had better withdraw your letter.

I have, &c.
(Signed) LOUIS FRASER.

No. 19.

The Earl of Clarendon to Consul Campbell.

Sir, *Foreign Office, September* 15, 1853.

I HAVE received your despatch of the 30th of July, explaining the origin of the plot against King Akitoye, which was on the eve of completion when you arrived at Lagos, and reporting the steps taken by you with the view of defeating the designs of the two rebellious Chiefs who were prepared to oppose Akitoye's authority.

I have to acquaint you that Her Majesty's Government approve of your having determined to take vigorous measures in order to preserve public tranquillity at Lagos, and to avert the very disastrous consequences which would

have been the result of a successful insurrection against King Akitoye; but with reference to the letter which you addressed, on the 29th of July, to the master of the British barque "Lydia," I have to point out that, in issuing prohibitions you should be cautious not to exceed the limits of your Consular authority or of British law, and I have to observe that the King will probably always be ready, upon your suggestion, to issue notices or to take such other measures as may be necessary for his own safety and that of his people.

I am, &c.
(Signed) CLARENDON.

No. 20.

The Earl of Clarendon to Consul Campbell.

Sir, *Foreign Office, September* 15, 1853.

I HAVE received your despatch of the 3rd ultimo, inclosing copies of your correspondence with Mr. Fraser respecting his statement, from which you had understood that he held in servitude four young Africans who were in a state of slavery, and who had been presented to him.

And I have to acquaint you that I approve of your having addressed a remonstrance to Mr. Fraser upon this matter.

I am, &c.
(Signed) CLARENDON.

No. 21.

The Earl of Clarendon to Consul Campbell.

Sir, *Foreign Office, September* 17, 1853.

WITH reference to your despatch of the 5th of July, stating some particulars relative to the Spanish brigantine and schooner which were captured by the boats of Her Majesty's ship "Linnet," in the Rio Pongos, on the 23rd of April last, I have to acquaint you that Mr. Baker, Her Majesty's Consul at Barcelona, has been instructed to discover, if possible, the names of the parties to whom those vessels belonged, and the connections of the supercargo mentioned in your despatch.

And I have to desire that you will, if you can, enable me to communicate to Mr. Baker the name of the supercargo in question.

I am, &c.
(Signed) CLARENDON.

No. 22.

The Earl of Clarendon to Mr. Campbell.

Sir, *Foreign Office, September* 17, 1853.

I TRANSMIT to you herewith, for your information and guidance, a copy of a letter and of its inclosure, which I have received from Messrs. Stuart and Douglas of Liverpool, respecting the prohibition issued by you against the landing of muskets and powder at Lagos.

I transmit also copy of the answer which I returned to those gentlemen.

I am, &c.
(Signed) CLARENDON.

Inclosure 1 in No. 22.

Messrs. Stuart & Douglas to the Earl of Clarendon.

My Lord, *Liverpool, September* 10, 1853.

BEING largely interested in the palm-oil trade of the West Coast of Africa, we have been much surprised to find by our letters that Her Majesty's Consul at Lagos has put a stop to all trade in guns and powder on that part of the coast. We should be glad to know if this prohibition meets with the approbation of Her Majesty's Government; if so, British merchants may at once withdraw their ships from that part of the coast and leave the trade in the hands of the foreigner.

Inclosed we beg to hand you an extract from the master of the "Lydia's" letter, and also a letter sent to Mr. Price by Her Majesty's Consul.

We have, &c.

(Signed) STUART & DOUGLAS.

Inclosure 2 in No. 22.

Captain Price to Messrs. Stuart & Douglas.

(Extract.) *"Lydia," Lagos, August* 2, 1853.

I HAVE now in 145 tons of palm oil; but at present I cannot get a gallon, as Her Britannic Majesty's Consul, Mr. Benjamin Campbell, has been newly appointed to this place, and he in conjunction with a Mr. Gollmer, one of our church missionaries, have taken upon themselves to stop the selling of guns and powder; also to stop up the paths of the principal market, which is a place thirty miles east of this, called Jaboo, which place produces 50,000 gallons of oil per month. These two gentlemen say that the people are going to make war; the people on the other hand are wishing for peace: but I must add that it is all caused by the conduct of Mr. Gollmer, who instead of allowing the Chiefs to bring their own interpreter to speak with the Consul he sends one of his own people, who are previously instructed to misconstrue what the Chiefs say. I have sent you a letter which I have received from the Consul. I wrote to know if he was intent upon stopping the sale of guns and powder, and you, gentlemen, can see the answer I got. The fact is, the trade will be ruined if the whites meddle with all the native wars. Previous to the new Consul coming all was quiet and peaceable, the reason of which was that the late Vice-Consul, Mr. Louis Fraser, would not allow the missionary Gollmer to have anything to do in the affairs of Lagos, and I had made arrangements with Mr. Sandeman for 140 tons of oil, the whole to be shipped by the middle of August; but now I am very sorry to say I have not got one gallon this fourteen days; there are four ships lying here doing nothing except one foreigner, who of course is protected by our worthy Consul. The English are clearly to be driven out of the Bight.

Inclosure 3 in No. 22.

Consul Campbell to Captain Price, July 29, 1853.

[See Inclosure 8 in No. 17.]

Inclosure 4 in No. 22.

Mr. Addington to Messrs. Stuart & Douglas.

Gentlemen, *Foreign Office, September* 14, 1853.

I AM directed by the Earl of Clarendon to acknowledge the receipt of your letter of the 10th instant, inclosing copies of a letter from Mr. Price, master of the barque "Lydia," and of a letter addressed by Mr. Campbell, the British

Consul at Lagos, to Mr. Price, prohibiting the importation of guns and powder into Lagos, Porto Novo, and Jaboo. And I am to acquaint you in reply that it appears to Lord Clarendon that, although Mr. Campbell has no authority to issue any such prohibition, he acted rightly in addressing to Mr. Price a notice dated the 26th July, warning him that there was a law in force at Lagos prohibiting the importation of guns and powder, which prohibition Mr. Price had violated at a time when a formidable insurrection against the local authorities was hourly impending.

I am, &c.
(Signed) H. U. ADDINGTON.

No. 23.

Consul Campbell to the Earl of Clarendon.—(*Received October* 24.)

My Lord, *Lagos, September* 1, 1853.

MY despatches by the last mail would in some measure prepare your Lordship to hear of the outbreak which occurred at Lagos the day after the sailing of the "Forerunner" (4th August), and which it now becomes my duty to report.

On the morning of the 5th of last month King Akitoye received positive information that Kosoko, at the instigation of two of the Lagos Cabooceers, Agineah, and Pellew the Possoo* (who, with their followers, were already up in arms), had actually left Epé, with his flotilla of war canoes, to join these Cabooceers in their attempt to dethrone Akitoye, who, unable to withstand the pressing demands of his Chiefs, to commence the attack on the rebel Cabooceers before Kosoko could arrive, gave his consent, and the firing began about 6 o'clock on the morning of the 5th of last month.

A part of the King's Town, abutting on the residence of Pellew, being to leeward of the breeze was set fire to. The houses being roofed with bamboo thatch, and the streets very narrow, the fire spread with the greatest rapidity, destroying the whole of the King's Town, excepting his own premises, which being covered with tiles resisted the flames. The conflict, nevertheless, raged throughout this quarter of the town the whole day, and during great part of the night.

The movements and intentions of the rebel Cabooceers, who, beyond doubt, were instigated in their proceedings by the slave traders, principally Portuguese and Brazilian, having been made known to Akitoye from time to time by one of their own party; and the destruction of the Church Missionary establishment being one of their principal objects; Akitoye had sent, for several nights previous to the conflict, a considerable detachment of his forces to guard it; and the attack there began as soon as the reports of the musketry at the King's Town was heard. The firing continued without intermission the whole day and during the night, and all the native houses in that quarter were burnt, the bare walls taken possession of, and loopholed by the combatants.

The confusion and alarm within the Missionary compound during this day and night is indescribable. For some days previous several hundred men, women, and children, principally the two latter, had sought refuge within its walls; but before break of day on the 5th crowds of women and children came pouring into the compound with their small properties on their heads, and not less than 3,000 of the most helpless portion of the population of Lagos, with their little all, found shelter and protection within the compound during that day and night.

The "Waterwitch" was the only cruizer off the bar at this time; and the signal of firing off a rocket having been been preconcerted between Commander Gardner and myself, in the event of an attack being made on the Church Missionary house in the night; and a rocket having been seen from the deck of the "Waterwitch" to ascend from the shore about 8 o'clock on the night of the 4th, three boats of that ship were manned and armed, and crossing the bar at night arrived off the Mission-house at 1 o'clock of the morning of the 5th.

This rocket was not fired from the Church Missionary premises, nor by any person from that establishment. It was subsequently surmised to have been let off by some of the Portuguese in Lagos, to serve some purpose of their own. It

* The title given to the head of the war chiefs.

however answered the purpose of British interests; for when the attack began early on the morning of the 5th of August, three English men-of-war boats were seen at anchor off the Church Missionary house ready for its defence, and for the protection of the 3,000 helpless women and children then within its walls from being seized as slaves by whosoever might prove conquerors.

After a day of intense anxiety, greatly heightened from a consideration for the safety of the Rev. Mr. Gollmer, his lady, and infant child, and his brother missionary, the Rev. Mr. Gerst, and of the many important interests which were at stake on the success of King Akitoye, rendered doubtful from its being positively known that Kosoko, accompanied by his powerful and influential Cabooceer Tappa, was approaching with a considerable force to aid Akitoye's rebel Cabooceers to overthrow him, so that Kosoko and the Slave Trade might again reign in Lagos, and after the large boat attached to the Consulate had been prepared for the embarkation of Mr. Gollmer's family, I was somewhat relieved about 2 o'clock on the morning of the 6th, on receiving a letter written by one of the Sierra Leone liberated Africans settled at Lagos, at the instance of one of Akitoye's chiefs, and of Agineah, one of the rebel Cabooceers, intimating that my interposition might bring about a cessation of hostilities. I immediately wrote to these parties that at break of day I would interpose with the King, and beg him to cease firing on his part.

Accordingly, at break of day, accompanied by Commander Gardner, I proceeded to King Akitoye's quarter of the town, which presented a most desolate appearance from the fire of the previous day. Akitoye, while expressing his willingness to listen to and follow the advice of his English friends, stated that, knowing Kosoko was positively approaching, and that it was the object of the two Cabooceers merely to gain time, he, with his war chiefs, were for continuing the contest; but on our recommending him to cease hostilities, he consented to do so, and sent messengers with us to the encampment, desiring his war chiefs not to recommence hostilities. We next proceeded to the encampments of the rebel Cabooceers, and having made them acquainted with the result of our interposition with Akitoye, they, after a little vaunting and palavering, agreed to withdraw their forces, and retire to their quarters in the town.

I ought here to state to your Lordship that my opinion is, after an interval of nearly a month from the above related occurrences, that had the contest been continued on the 6th of August, the result, as regarded the two Cabooceers, would have been favourable to Akitoye's forces, as Kosoko did not appear off Lagos till the 11th of the month; but the consequences would have been the total destruction of the town, the loss of many lives, and several hundreds of inoffensive people made slaves of.

The small force of boats from the "Waterwitch" remained neuter during the day of the firing, notwithstanding that the contest, raging close to the walls of the Church Mission, continued for an entire day and night; the house was frequently struck by the musket-balls of the two Cabooceers' party.

I now busied myself, assisted generally by Commander Gardner, in endeavouring to pacify both parties, listening to their complaints, and trying to bring about a reconciliation. With this view I assembled the discontented Cabooceers, their followers, and the few merchants of the place, who I found were all in the interest of the two Cabooceers. They had previously assured me that the Cabooceers had good grounds of complaint against Akitoye for his tyrannical conduct towards them. The two Cabooceers, however, on my requesting them to state what their grievances were against Akitoye, declared they had nothing to complain of as regarded himself; it was only as to the influence he allowed his niece Tinnaboo to exercise over him (she, it appears, is a great trader, the Cabooceers also were great traders, and so their interests clashed), and that if Akitoye would only expel Tinnaboo from Lagos, they would then be prepared to make their submission and sue for pardon. I asked the Cabooceers about Kosoko; they both distinctly denied having had any intercourse with him, or having invited him back to Lagos, and that they did not believe he was approaching.

On the following day I attended with Commander Gardner a meeting of the merchants, who, being favourable to the Cabooceers, requested that I should urge Akitoye to send his niece Tinnaboo away. This I refused to do, but stated my willingness to report to Akitoye what the Cabooceers had declared to be the cause of their rebellion and the obstacle to their reconciliation with him, leaving the King to act as he thought proper; but I at the same time distinctly told the

merchants that I had no confidence in the good faith of the Cabooceers, and that if the King did expel his niece, they would immediately start some other cause of grievance, and that their sole object was to gain time for Kosoko's approach. The result proved I was correct.

Akitoye, after a few hours of painful consideration no doubt, for his niece had been kind and faithful to him throughout his misfortunes, consented to send her to Badagry, and the next day she embarked with all her retinue in several canoes. On her way to Badagry she was joined by about 250 Badagry people, who having heard of Akitoye's contest with the Cabooceers had come to assist him, but arriving after the cessation of hostilities, were prevailed on by me to wait the issue of the negotiation for peace.

On the embarkation and departure of Akitoye's niece, I requested the merchants to apprize the Cabooceers of the fact, and to call upon them to make their submission to their King. This was on the 10th, when Kosoko's approach was no longer doubtful, as some of his canoes were in sight, and the inhabitants of the villages near the sea, on the line of Kosoko's route, were seen fleeing in their canoes to the opposite bank of the river.

The Cabooceers now threw off all disguise, and declared they would make no submission to the King.

Thus things remained, Kosoko gradually drawing nearer to the town with his flotilla of war canoes, stated to me to contain 1,500 men, when he opened a communication with me through a Mr. Grote (the representative of a Hamburgh mercantile firm having an establishment at this place), until the 12th of the month, when the "Polyphemus," Commander Phillips, having arrived in the morning, and the "Penelope," with the Commander-in-chief, in the evening, I broke off all further communication with Kosoko until I had communicated with Admiral Bruce.

I should here inform your Lordship that, although differing with the merchants as to the good faith of the Cabooceers, and sensible that their only object was to gain time for Kosoko to approach, I had an equal interest in the delay which ensued by the temporizing of the Cabooceers, as the Commander-in-chief was expected, at latest, by the 15th of the month. Most happily he arrived three days before that date, for Kosoko had already landed a considerable force on the south side of the Island of Lagos, and on the evening of the 12th I distinctly observed the force coming up, under cover of the numerous ant-hills, and taking up a position not more than a quarter of a mile from the Church Missionary establishment.

I immediately wrote to the Commander-in-chief apprizing him of the critical state of things at Lagos. The canoe-men to whom my letter was entrusted never carried it on board the "Penelope," but left it in a hut on the beach. This I did not ascertain till the following morning, when my anxiety for the safety of the British people at the mission-house, and the 4,000 helpless women and children who on that day crowded the mission compound, being intense, I despatched my cook with an English ensign to the beach, to be hoisted half-mast on one of the flag-staffs there.

On perceiving this signal Admiral Bruce dispatched a considerable force, consisting of the two paddle-box boats of the "Penelope," carrying each a 24-pounder howitzer; two of the "Polyphemus's," carrying each a 12-pounder howitzer; the "Waterwitch's" pinnace with an 18-pounder carronade, a cutter and a gig; the whole under the command of Commander Phillips of the "Polyphemus." Nothing could be more opportune than the arrival of this force; for as the light boats rounded the point of sand at the entrance to Lagos river, Kosoko put in motion his huge war canoes, the one carrying himself, his Caboocecr Tappa, and his two secretaries Senhor Lima, and a coloured man educated in the Brazils, and upwards of 100 men; described to me as being eighty feet in length, carrying six small cannon, and having three masts with rigging rattled down, leading the way; and about the same time that Commander Phillips landed at the Church Missionary establishment, Kosoko and his attendants landed at the house of Pellew the Possoo, the rebel chief, not more than a quarter of a mile from Akitoye's house; when himself and his Caboocecr threw off their ordinary dresses, put on their war costumes, and openly declared their intention of attacking the mission-house in the morning. They were then ignorant of the arrival of the men-of-war boats, a point of the island shutting out the view of them.

Akitoye, towards evening, sent to inform me of Kosoko's landing at Possoo's house, and that his large canoes were in a small creek close to the house.

Upon my communicating this information to Commander Phillips, and procuring him a guide and an interpreter, he proceeded with the boats to the creek indicated. The progress of the heavy boats against the current being slow, they did not arrive off the spot till dark, or nearly so; a few shot and shell were fired at Pellew the Possoo's house, the roof of which was burnt; but, the whole of the boats being shortly after removed, Kosoko and his large canoes, with many of his followers, escaped in the night.

Agineah and Pellew the Possoo and their followers also escaped during the night from another part of the island; but they were hotly pursued by Akitoye's people, some of the fugitives were killed and many drowned in their endeavours to get off to the canoes. Their women and children had been sent away some days previously.

A delay of one day in the Admiral's arrival, and Kosoko would again have been in possession of the Island of Lagos; the most frightful barbarities would have been committed by Kosoko and his party; many hundred inoffensive people enslaved; the respectable Church Missionary establishment would have been razed to the ground, after the great labour and expense bestowed on its erection; my position would have been untenable; and Kosoko and his Slave Trade party would have proclaimed to all the Chiefs around their triumph over the English, who had expelled them, in order that legitimate commerce, peace and security, might take the place of the Slave Trade, its horrid barbarisms, and state of continual insecurity to life, liberty, and property.

I have, &c.

(Signed) B. CAMPBELL.

No. 24.

Consul Campbell to the Earl of Clarendon.—(*Received October* 24.)

(Extract.) *Lagos, September* 3, 1853.

ON my arrival at my post, I found Akitoye the King of Lagos, in a very infirm state of health, and unable to walk about from chronic rheumatism in both his legs.

He was visited by the doctor of Her Majesty's ship "Polyphemus," and the Admiral kindly sent him a supply of flannel; but the anxiety he has suffered and the troubles he has had to encounter since his re-establishment as King of Lagos, particularly since the revolt of his two chiefs, and Kosoko's attempt to regain Lagos, together with the open disobedience of two of his war captains, when called upon to restore some property they had plundered from Mr. Sandeman's house on the 6th-7th of August, were too much for his feeble frame and overburdened mind; and on the night of the 2nd he died, from the immediate effect of some poison he is supposed to have taken with his own hand.

A very strange custom exists in this and other parts of Africa, of concealing, sometimes for months, the death of a king. I was, however, apprized of it.

In the very unsettled state of the town, it was very impolitic that it should remain without a supreme chief or king. I therefore requested an interview with the Chiefs, civil and military; they having assembled, and being ignorant of Akitoye's death, I requested them to inform me, who, in the event of Akitoye's death, was the proper person to succeed him in the Kingship of Lagos. I withheld from them the fact of Akitoye's death, and told them that my reason for applying to them was, that his state of health and prostration of strength rendering him unable to attend to business, and his life being of uncertain duration, rendered it necessary in the disturbed state of the country that the matter of succession should not be in dispute. After retiring and consulting for some minutes, the Chiefs returned; and informed me that Akitoye's eldest son Docemo would be the rightful successor to his father. I requested then to send for him, that I might be introduced to him. On his arrival, and after his introduction, I again put the question to the Chiefs, whether Docemo would be the man to succeed in the event of his father's death; they unanimously (taking

Docemo by the hand) declared, and presented him to me as the lawful King should his father die.

I then told them, that being unanimous on that point was very satisfactory, as Akitoye had died during the previous night; they therefore saw their future King, upon which the chiefs embraced Docemo, and made the usual token of submission, by prostrating themselves on the ground and snapping the left finger on the palm of the hand. On the following day, Docemo was formally acknowledged and presented as King to the people; and received a salute of twenty-one guns from the boats of Her Majesty's ships "Waterwitch" and "Atholl," the Commanders and several of the officers of these ships being present.

No. 25.

Consul Campbell to the Earl of Clarendon.—(*Received October* 24.)

My Lord, *Lagos, September* 6, 1853.

I HAVE learnt from a source on which I place every reliance that a barque, American built, but hoisting Spanish colours, and called the "*Manuelita*," about the end of the month of May last, shipped from the beach, about three miles from Aghwey, 654 slaves.

This vessel must have arrived on the coast with her equipments quite perfect, and no doubt under the safeguard of American papers of some description; for, according to my informant's account, she arrived off the spot from whence she shipped the slaves in the afternoon, with American colours flying at the fore. On approaching near the land she hauled these colours down, and hoisted Spanish at the peak; these she dipped three times, and anchored in about two and a half fathoms, just outside the breakers, when the parties on shore immediately began shipping the slaves in canoes obtained from the Gold Coast. All was over by midnight; the slaves embarked, manifest made out, bills of lading signed, and the vessel sailed.

In the hurry of shipping the slaves some of the canoes capsized in the surf, and some 60 unfortunate slaves, it is said, were drowned. But for some disagreement among the shippers, many more slaves would have been shipped. On the dispute arising, the captain set sail with those received on board.

Probably this vessel may be one of the three stated in my despatch of 30th July last, addressed to your Lordship, on the authority of Lieutenant Hill, of the Gold Coast Corps, to have embarked slaves at Aghwey in the month of June last. My informant of the shipment of slaves on board the "*Manuelita*" is a foreigner, who was present on the beach and witnessed the proceedings.

I have, &c.

(Signed) B. CAMPBELL.

No. 26.

Consul Campbell to the Earl of Clarendon.—(*Received October* 24.)

My Lord, *Lagos, September* 10, 1853.

AFTER the flight of Kosoko and Tappa, and Akitoye's two discontented Cabooceers, Lagos enjoyed a few, and but a few, days' repose.

These men, with their numerous followers, fled to Epé, on the Lagoon, about twenty-five miles eastward from the mouth of Lagos river, Kosoko's place of refuge since he was expelled by Her Majesty's naval forces in December, 1851; and from thence he, with his now three Cabooceers, have made every effort to stop the trade of Lagos, and have plundered the farms of the inhabitants situated near the sea, killing all full-grown people, and carrying away into slavery young people and children. They have sent large presents to the Chiefs of Abbeokuta, endeavouring to influence the few Chiefs there favourable to the

Slave Trade; also to the Chiefs of other towns, altogether under that influence, calling on them to assist them in driving away the English, that they may again return to the Slave Trade at Lagos, as the only commerce that enriches them. They have attempted to cut off the supplies of food to Lagos, by sending their armed canoes to intercept those of Lagos going to the villages where the periodical markets are held; and, by bribing and threatening the Chiefs of those villages, have succeeded, by reducing the supply of provisions, to increase their price more than 100 per cent., to the great suffering and inconvenience of the poor and labouring portion of the population of Lagos.

To counteract as much as possible Kosoko's and his party's attempts on the Chiefs of Abbeokuta and the King of Jaboo, I addressed a letter to those Chiefs. To Showmoye, the Basherun, or Head War Captain of Abbeokuta, who was known to be favourable to Kosoko, and, it is said, has accepted a considerable bribe from him, I addressed a separate letter. Copies of these letters I have the honour to inclose. I have, as yet, received no reply from any of these Chiefs, probably from want of time, and the interruption to intercourse occasioned by the machinations of Kosoko.

I hope to receive your Lordship's approval of the steps I took to counteract the bribes and influence of Kosoko.

My letter to the King of Jaboo has just been returned to me. Kosoko's people, who are occupying the villages on the water side of the Jaboo country, would not let my messengers (three Sierra Leone liberated Africans) proceed; and, but for the interposition of a Chief, favourable to Lagos, the messengers say, their lives would have been taken by Kosoko's people.

I have, &c.

(Signed) B. CAMPBELL.

Inclosure 1 in No. 26.

Consul Campbell to Showmoye, Chief of Abbeokuta.

Lagos, August 23, 1853.

BENJAMIN CAMPBELL, Esq., Her Britannic Majesty's Consul, presents his best compliments to Showmoye, Basherun and War Chief of Abbeokuta, and has received his friendly letter with the two sheep he kindly sent the Consul as a present, and for which he returns the Basherun his best thanks.

The Basherun's letter gave great pleasure to the Consul, and he receives it as a token of the Basherun's friendship towards the Queen of England, towards himself, and towards all English people.

Before this letter reaches the Basherun, he will have heard of the civil war in Lagos, how Agineah and Pellew the Possoo, armed themselves and their followers to overthrow King Akitoye and bring back Kosoko as King of Lagos; how Kosoko with Tappa his Caboceer, actually landed at Lagos at the house of Pellew, and how the Queen's Admiral sent into Lagos river at the same time an armed force and drove away at once Kosoko, Tappa, Agineah, and Pellew, with all their forces.

Now these wicked and turbulent men have all fled to Epé, in the King of Jaboo's country, and are meditating further mischief against Lagos, and have actually attacked the farms of the Lagos people on the land near the sea-beach, killed and carried off several people.

Now as the Basherun and all the good Chiefs of Abbeokuta have concluded a Treaty of peace and friendship with the Queen of England, and have shown towards Her Majesty Queen Victoria, her many good people, and particularly towards the worthy and pious missionaries living at Abbeokuta, so many proofs of their goodwill and friendship, and of their desire to promote the innocent trade of their country, with the English people; the Queen's Consul calls on the Basherun and other Chiefs of Abbeokuta to withhold all support to and communication with these enemies of the Queen of England and of Lagos, and to discountenance them and their messengers, so that they may cease to disturb the peace of Lagos, and leave the road open for the people of Egba and Yoruba, and the King of Jaboo's people, to trade with Lagos.

The Consul is very anxious to visit Abbeokuta, and to pay his respects to

the Basherun, and to all its good Chiefs and people, for whom he has long felt a high respect, and will, certainly, as soon as Lagos is peaceably settled and the rainy season is over, do so. In the mean time the Consul will be glad at all times to hear from the Basherun, and in taking this opportunity of assuring him of the Consul's friendship, begs to recommend to the kind care of the Basherun all the good missionaries at Abbeokuta, and also those countrymen of the Basherun's who having been formerly sold as slaves to Portuguese and Spaniards were liberated by the Queen of England's ships and made free in Sierra Leone, and having been converted to the Christian religion, have returned with the money they made at Sierra Leone to their own country, to show to Yoruba, and all the countries around, how just and kind is England towards the people of Africa.

Inclosure 2 in No. 26.

Consul Campbell to Sagbua, Chief of Abbeokuta.

Lagos, August 23, 1853.

BENJAMIN CAMPBELL, Esq., presents to Sagbua and all the good Chiefs of Abbeokuta his best respects, and begs now to inform them that in obedience to a commission he has received from Her Majesty Victoria, Queen of England, he has arrived at Lagos to reside there as her Consul, and that his duty, as Consul, is to endeavour all in his power to preserve peace and friendship between the Chiefs of this part of Africa, and between them and all the subjects of the Queen of England who are living in the territories of the Chiefs. It is also his duty to do all in his power to promote the innocent trade of the country in palm oil, cotton, ivory, and the many other valuable productions abounding in Yoruba, and the countries around, which only require peace to be brought forward to the notice of the people; and it is also the Consul's duty to frustrate and oppose all attempts to revive the export of the innocent people of Africa as slaves, by the Spaniards, Portuguese, and other bad people.

The Consul, from the kind and good feeling shown by the Chiefs of Abbeokuta to the Queen of England's subjects, looks to those Chiefs for their friendly assistance in carrying out the wishes of the Queen of England, her Government, and all her good people.

The Consul has been pleased to hear from the Rev. Mr. Townsend, that the Egba Chiefs have listened to the good advice of their best friends the missionaries, and have withdrawn their camp from Addoo. The Consul will, when the dry season arrives, and the peace of Lagos is restored, gladly help the Chiefs of Abbeokuta and the contending Chiefs to make a solid peace, so that all people may sleep in quiet and go peaceably and undisturbed to their different avocations.

The Consul begs to inform Sagbua and the other good Chiefs of Abbeokuta, that Agineah and Pellew, two of Akitoye's Chiefs, instigated by the Portuguese and others, armed themselves and their followers to dethrone Akitoye, and replace Kosoko as King of Lagos. They had informed Kosoko of their intention; and they began firing on the King's people on the 5th of this month. The battle continued all the day and during the night, when the Consul and one of Her Majesty's naval commanders interfered, and begged Akitoye to accept peace and submission from the two Chiefs; but these men did not want peace, they only wanted time for Kosoko and Tappa to approach, which they did in a few days; and Kosoko and Tappa actually landed at Pellew's house; but just at that time the Queen's Admiral sent into the river a large force of war-boats; and when two of them fired on Pellew's house, Kosoko, Tappa, Agineah, Pellew, and all their war people, fled, and ran away to Epé, where they now are, doing all the mischief they can to Lagos people on their farms near the sea, catching some and killing others.

As all these bad people have taken refuge in the King of Jaboo's country; and as the King of that country has made a Treaty of Peace and Friendship with the Queen of England, the Queen's forces do not want to carry war into that country, in order to drive away these people.

For this reason the Consul has written to the King of Jaboo, as the Queen of England's friend, to drive away Kosoko and the others; so that they cannot

disturb Lagos, and so that the road may be open to the Jaboo people to trade with Lagos.

The Consul hopes that the Chiefs of Abbeokuta, as friends of the Queen of England and of all her people, will not countenance or assist Kosoko and the other bad people with him, and that they will hold no communication with them or their messengers.

The Consul has heard much of Abbeokuta and its Chiefs before he came to Lagos; and he is very anxious to visit them, and see their large town, which he will do as soon as Lagos is free from Kosoko and his bad followers, and the dry season has set in.

The Consul informs the Chiefs of Abbeokuta that the eyes and the hopes of the whole Christian world are upon them and their town; and that it looks forward to the bright example of Abbeokuta opening its gates to receive Christian missionaries to preach the gospel of Christ to them, and to Christian traders to point out to them the great natural wealth the country is capable of producing, by keeping their people at home to cultivate the ground, instead of selling them to foreigners to be carried out of the country, and sold into the most cruel slavery the world has ever known, being followed by the other natives of Africa.

The Consul concludes, wishing to Sagbua and the Chiefs of Abbeokuta health, happiness, and a long life of peace.

Inclosure 3 in No. 26.

Consul Campbell to the King of Jaboo.

Lagos, August 23, 1853.

BENJAMIN CAMPBELL, Esq., Her Britannic Majesty's Consul, presents to the King of Jaboo his respectful compliments, and wishes the King health and happiness.

The Consul has the honour to inform the King that, in obedience to the Queen of England's commission, he has arrived at Lagos, to reside there as her Consul; and that it is part of his duty to assist in maintaining peace and friendship between the subjects of the Queen of England and those of the King of Jaboo; to promote, all in his power, the trade in palm-oil, ivory, and other productions of the King's country of Jaboo; and to assist in putting a stop to the cruel Trade in Slaves, and to the wars got up only to catch innocent, free people, in order to make them slaves.

The King has heard, some time ago, how the naval forces of the Queen of England drove Kosoko from Lagos, and put his uncle, the rightful King, Akitoye, there in his stead.

The Queen of England's forces drove away Kosoko, because he was a cruel and ferocious man, who refused to make a Treaty of Peace and Friendship with the Queen of England, and to abolish the Slave Trade at Lagos; and because, when some of the Queen of England's officers and sailors fell into the power of Kosoko, he cruelly murdered them, and cut their bodies into pieces.

Kosoko, when driven from Lagos, took refuge at Epé, in the King of Jaboo's country. The Queen of England's forces did not disturb him there, so long as he remained quiet, and did not disturb the peace and trade of Lagos.

But Kosoko has lately, along with his Caboocceer Tappa, and a Portuguese, named Lima, brought war on Lagos, and actually landed there; but they were immediately driven away by the Queen of England's forces; and along with them fled Agineah, and Pellew the Possoo, who had brought civil war on Lagos, to drive away King Akitoye.

Now all these wicked and unquiet people have taken refuge at Epé, within the country of the King of Jaboo, and are meditating another attack on Lagos, and have destroyed the farming villages of the Lagos people; caught and killed many of them.

Therefore the Queen of England's Consul, in the name of Her Majesty Victoria, and by virtue of the Treaty concluded by the King of Jaboo, with one of Her Majesty's naval commanders on her behalf, now calls on the King of Jaboo to drive away from his country these wicked and dangerous men,

Kosoko, Tappa, Agineah, Pellew, and all their followers, including the Portuguese, Lima; and by so doing he will prevent Her Majesty's forces from carrying war into the country of her friend, the King of Jaboo.

By driving these men away, the King of Jaboo will clear the road for his peaceful subjects to trade with Lagos, in palm-oil and other productions of his country.

No. 27.

Consul Campbell to the Earl of Clarendon.—(*Received October* 24.)

My Lord, *Lagos, September* 11, 1853.

BEING anxious, if possible, to prevent any further hostilities between Lagos and Kosoko; and desirous to conciliate the Cabooceers Tappa, Agineah, and Pellew, and to detach them from Kosoko—for without their aid, and that of their numerous followers, his power would be ineffective for mischief—I addressed a communication to all of them, shortly before the death of Akitoye.

To this communication, after greater delay than I anticipated, I received an answer written in the Portuguese language.

I have the honour to inclose copies of my communication to Kosoko and others, and a translation of their reply, which appears to me to hold out very little hopes of a peaceable termination to the difficulties of Lagos.

I have, &c.

(Signed) B. CAMPBELL.

Inclosure 1 in No. 27.

Consul Campbell to King Kosoko and other Chiefs.

Lagos, September 1, 1853.

BENJAMIN CAMPBELL, Esq., Her Britannic Majesty's Consul, sends his compliments to Kosoko, to Tappa, to Agineah, and to Pellew, and wishes to know from them what their intentions are with regard to Lagos, as the merchants are now sitting down doing nothing, not knowing what are the intentions of Kosoko, Tappa, Agineah, and Pellew.

It is necessary that they should declare to Her Britannic Majesty's Consul, what their wishes are; because, if they are peaceable, and they are willing to subsist by trade, nothing will give greater pleasure to the Queen of England's Government, to her Admiral, and to the Consul, than to give them every facility and encouragement in carrying on a peaceable and innocent commerce; for, it is the great object of the Queen of England's Government to put an end to the foolish, useless, and unnecessary wars on the coast of Africa, by introducing a peaceable trade in the many productions which abound in this part of Africa in particular.

Therefore the Consul has sent to know what are the real intentions of Kosoko, Tappa, Agineah, and Pellew; because, if peaceable, the Consul is authorized to state, that although the English Government has the greatest cause for offence against Kosoko, and can never allow him to be King of Lagos, it has no wish to harm or disturb him wherever he may set down, and make his peaceable trade; on the contrary, the Consul will give him every facility for carrying on an innocent and peaceable trade. To Tappa, to Agineah, and Pellew, having given no cause of offence to the Queen of England, the Admiral and the Consul will be very sorry, should those Chiefs disturb the peace and trade of Lagos, to have to look upon them as enemies. If they cannot agree with King Akitoye, and live in peace under him at Lagos, that is no reason why they should not select some other place to sit down, live in peace, and make trade with Lagos.

For this reason, the Consul sends this letter in a friendly spirit, to know what are the intentions of the four Chiefs; if for peace and trade with Lagos, then they may look upon the Queen's Consul as their friend, who will at all times be happy to assist them; but if the four Chiefs should allow themselves

to be so ill advised by bad men, as to declare they will have no peace, and no trade with Lagos, then the Consul will be in duty bound to send their answer to the Queen's Admiral, who is the authority empowered to do what may be necessary under such circumstances.

The Consul wishes the Chiefs Kosoko, Tappa, Agineah, and Pellew health; peace and quietness is in their own hands; for, if they disturb not the peace and trade of others, none will disturb their peace and trade.

Inclosure 2 in No. 27.

King Kosoko, &c., to Consul Campbell.

(Translation.) *Epé, September* 7, 1853.

KING KOSOKO, and his Cabooceers Tappa, Pellew, and Agineah, having had the honour to receive the letter from Her Britannic Majesty's Consul, Benjamin Campbell, Esq., are sending him their most reverend respects.

Having considered what Her Britannic Majesty's Consul has expressed in his esteemed letter of the 1st instant, in which he wishes to know what are our intentions relative to our country of Lagos, we are obliged to declare, having been expatriated from there without King Kosoko giving the least cause for offence to the subjects of Her Britannic Majesty, that he is astonished that the Consul affirms the English Government to have the greatest cause of offence against King Kosoko, and that they never would permit him to be King of Lagos. When I can be accused to be a criminal, who is to be innocent?

The Consul must be aware, that when the propositions were made to our nation by the subjects of Her Britannic Majesty, in her name, we begged for five days' consideration, which was refused. In this manner began the hostilities that ended to bring us in our hard position to retire to this place, without our having ever the least intention, or the slightest motive to provoke or offend the Government of Her Britannic Majesty, or any other nation. It has been our wish to be in the same condition as those who are subjects to the Government of Her Britannic Majesty, wishing only to return to our native home, to forward innocent and legal trade with the produces of this country. The King Kosoko, and his Cabooceers Tappa, Agineah, and Pellew detest war, and wish only for peace, as most useful for the prosperity of the country.

When King Kosoko came to Lagos, it must be well considered that it was simply for the purpose to prevent the continuance of a bloody and ruinous civil war, taking the prudent step to draw his Caboocers Agineah and Pellew away from the sinister result produced by a foolish war, which I have demonstrated, when I received the repulse through the fire from the artillery of Her Britannic Majesty's subjects. I had no other intentions than to take them away.

If their taking away is not sufficient to convince Her Britannic Majesty's Admiral and Consul of our good intentions, and if they consent to come with a ship to the port of Lamoé to speak with us, it would give us the greatest satisfaction, assuring them every security.

To-day we got to know that King Akitoye exists no more; and with more willingness we implore in the name of Her Majesty the Queen to return to our dear country, for which end we implore the protection of Her Britannic Majesty's Consul and Admiral.

King Kosoko, Tappa, Agineah, and Pellew, wish to the Consul the most prosperous felicity, produced out of their cordial affection. Their tranquillity depends upon Her Britannic Majesty's Consul and Admiral.

Signed in the name of the King Kosoko, Agineah, and Pellew,
(Signed) TAPPA.

No. 28.

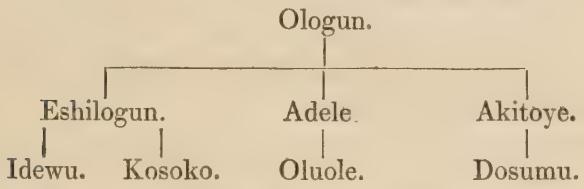
Consul Campbell to the Earl of Clarendon.—(*Received October* 24.)

(Extract.) *Lagos, September* 11, 1853.

I INCLOSE, for your Lordship's information, a paper containing a list of the Kings who have reigned in Lagos during the last fifty years, and a chronological account of the principal events which have occurred during that time; also a sketch of the country, rivers, and lagoons around Lagos.

Inclosure 1 in No. 28.

List of the Kings of Lagos during the last Fifty Years.



1.	King	Ologun	reigned about	25	years, from 1786 to 1811.
2.	,,	Adele	,,	10	,, 1811 to 1821.
3.	,,	Eshilogun	,,	8	,, 1821 to 1829.
4.	,,	Idewu	,,	6	,, 1829 to 1837.
5.	,,	Oluole	,,	4	,, 1837 to 1841.
6.	,,	Akitoye	,,	$3\frac{1}{2}$	,, 1841 to 1845.
7.	,,	Kosoko	,,	$6\frac{1}{2}$	,, 1845 to 1851.

No. 1.—King Ologun enjoyed a long and peaceful reign during the latter part of the last and former part of this century.

No. 2.—King Adele followed Eshilogun. His elder brother declined to reign till after his brother Adele's death; but he (Adele) lasting longer than agreeable, Eshilogun attempted to make himself King by force of arms, when Adele conquered, and expelled him.

No. 3.—Eshilogun, after five years' exile, with the assistance of the neighbours, wrested the throne from his brother Adele, and reigned for about eight years, constantly harassed by attacks from his brother Adele.

No. 4.—Idewu succeeded his father Eshilogun; but after about six years of an unhappy reign the King of Benin and the people of Lagos desired him to make room for Adele, when he poisoned himself, and Adele returned from Badagry and reigned for about two years more.

No. 5.—Oluole followed his father Adele in succession, but reigned only about four years, when he perished in an explosion of gunpowder. Prior to this event Kosoko put in his claims by force of arms, but Oluole expelled him.

No. 6.—Akitoye was selected by the nation, and crowned by the King of Benin as usual (1841); he pardoned the exiled chiefs Agineah and Possoo, who had made common cause with Kosoko against King Oluole; he chartered a vessel for a large sum, and fetched his nephew, Kosoko, from Whydah, and in July 1845 Akitoye called his relative Elatu from Badagry, that they all might dwell together in peace.

No. 7.—Kosoko in July 1845 took up arms against Akitoye, and with the assistance of Agineah and Possoo succeeded in driving him away, and he remained in undisturbed possession of Lagos till December 1851, when Akitoye was restored by the British forces.

Historical Observations.

1825.—About this time, in the reign of Eshilogun, an English man-of-war's boat, accompanied by three Cape Coast canoes, arrived at Lagos, and as the King would neither loose the slaves then in chains nor forbid the Portuguese buying slaves, the English spiked eight large guns at the King's Wharf at night

and fired upon the town, whilst proceeding out to sea, which fire was returned from shore.

1845. *March.*—Akitoye desired the friendship of the English, and offered to make a treaty in two letters addressed to the ships of war and the Governor of Cape Coast.

July.—Civil war at Lagos. Elatu's return to Lagos afforded Kosoko the desired opportunity to raise war against Akitoye, under pretence of fighting Elatu, his enemy; but when the concession was made, viz., Elatu removed from the town, Kosoko, aided by Agineah and Possoo, would not rest till Akitoye cleared out for him.

1846.—Kosoko bribed the Chiefs at Badagry to get rid of the English, as they are the enemies of Slave Trade, but Captain York's (Her Majesty's ship "Albatross") timely interference frustrated their design.

1849-1850.—Kosoko largely bribed the Slave Trade party at Abbeokuta, in consequence of which our Christian natives suffered much persecution.

1850.—Kosoko again bribed the Chiefs at Badagry to join him in supplanting Akitoye and his people there.

1851. *January.*—Akitoye begged Mr. Consul Beecroft to take him under his protection, who took him with him to Fernando Po.

1851.—Serious disturbances at Badagry, caused by Kosoko.

June 12.—Civil war at Badagry, caused by Kosoko; the Badagrians, with some of Kosoko's people, seeking the annihilation of Akitoye's party, when the latter gained the day.

July and September.—Kosoko, with upwards of 100 canoes, well manned and armed, repeatedly attacked Badagry.

November.—Kosoko prepared for a final attack, to destroy Badagry, but was prevented by Mr. Consul Beecroft's visit at Lagos, when Akitoye returned from Fernando Po. First attack upon Lagos. Fired upon the flag of truce.

December 20.—Akitoye called to an interview with the Admiral.

December 26 *and* 27.—Capture of Lagos. Kosoko fled.—31st. Akitoye restored to Lagos.

1852. *January* 1.—Treaty signed. A few days after Agineah and Possoo were allowed to return. They sign the Treaty.

March.—Portuguese slave dealers sent away.

September.—Some Portuguese return to Lagos.

November 15.—Mr. Fraser, Vice-Consul, landed.

1853. *February.*—More Portuguese arrived.

March and April.—Slave Trade carried on on a small scale, and with profound secrecy.

May.—Slave-dealers proved guilty. M. Amadie and A. Martin imprisoned by the King. Agineah and Possoo, backed by the Portuguese, rebelled against Akitoye for his opposition to the Slave Trade.

August 5.—Civil war at Lagos. The rebellious Chiefs take up arms against the King, and call Kosoko to put him up here.

August 13.—Kosoko arriving at Lagos, landed at Possoo's house, and fled in the night.

Considering the present state of Lagos, exposed to the attacks and annoyances of a numerous and powerful enemy, Kosoko, Tappa, Agineah, and Possoo, who have it in their power to close the trade paths, it seems plain that Lagos and all British interest and enterprise is lost if Government does not assist in repelling the enemy beyond the trade paths; trade is ruined, and British life and property at peril: but if this assistance is granted, Lagos will soon become one of the largest ports on the coast, and much good can be conferred on poor suffering Africans.

Lagos, September 2, 1853.

(Signed) C. A. GOLLMER.

Inclosure 2 in No. 28.

Plan of the Yoruba Country.

No. 29.

Consul Campbell to the Earl of Clarendon.—(*Received October* 24.)

My Lord, *Lagos, September* 13, 1853.

THE Sardinian brig "*Carlotta*," Giacomo Buonsignore, master, cleared out from the Port of London on the 3rd of June last, and arrived in Lagos roadstead about two weeks since.

As the vessel was consigned to a party at this place, who, together with his legitimate trade, does something in the Slave Trade when opportunities offer, I wrote to Commander Gardner, of Her Majesty's ship "Waterwitch," requesting he would have the vessel visited, and inform me of what her cargo consisted.

Among the things stated to be on board were 421 puncheon packs and 73 casks full of water; but as Commander Gardner did not state whether the water was fresh or salt, I called the attention of the senior officer of the Bights Division, Commander Phillips, to the vessel, and begged him to ascertain whether the water in the 73 casks was fresh, and, if so, to call upon the master of the "*Carlotta*" to start it overboard, as this large quantity contained in the 73 casks, amounting to upwards of 8,000 gallons, was sufficient water for a cargo of 300 slaves to cross the Atlantic. Commander Phillips informs me that the master of the "*Carlotta*," after a little grumbling, has commenced starting the water from the 73 casks into the sea.

It appears these 73 casks were filled in the London Docks from alongside, and although not very pure water, it would have been thought sufficiently good for slaves.

My object in reporting this matter to your Lordship is, that the attention of the custom-house authorities in the ports of London and elsewhere may be drawn to the impropriety of allowing such vessels as the "*Carlotta*" to clear out for the Coast of Africa with so large a quantity of fresh water on board, of which the most illegal use may be made.

Commander Gardner, in his letter to me, states that the regular certificate of security against the casks being used otherwise than for oil has been given, but he does not say whether the certificate is for the full number of casks on board.

I have, &c.
(Signed) B. CAMPBELL.

No. 30.

The Earl of Clarendon to Consul Campbell.

Sir, *Foreign Office, November* 4, 1853.

I HAVE received your despatch of the 3rd of September, reporting the death of Akitoye, King of Lagos, and the steps which you had taken to procure from the Chiefs of Lagos the recognition of Akitoye's son, Docemo, as their future King; and I have to acquaint you that I approve of your proceedings in this matter.

I have, &c.
(Signed) B. CAMPBELL.

No. 31.

The Earl of Clarendon to Consul Campbell.

Sir, *Foreign Office, November* 4, 1853.

I HAVE received your despatch of the 1st of September last, reporting an insurrection which took place at Lagos in August, against King Akitoye, followed by an attack upon that place by the ex-King Kosoko, and informing me of the measures which you took for the protection of British life and property, and for communicating with Admiral Bruce, who, in consequence of a signal which you hoisted, despatched a detachment of boats under Commander Phillips, of Her Majesty's ship "Polyphemus," by whom Kosoko's attack was repulsed.

And I have in reply the satisfaction of acquainting you that I entirely approve your proceedings on that occasion.

I am, &c.
(Signed) CLARENDON.

No. 32.

The Earl of Clarendon to Consul Campbell.

Sir, *Foreign Office, November* 4, 1853.

With reference to your despatch of the 10th of September, I have to acquaint you that Her Majesty's Government entirely approve the letters which you addressed to the Chiefs of Abbeokuta and of Jaboo for the purpose of counteracting the attempts of Kosoko to interrupt the intercourse between Lagos and the surrounding country.

I am, &c.
(Signed) CLARENDON.

No. 33.

The Earl of Clarendon to Consul Campbell.

Sir, *Foreign Office, November* 4, 1853.

I HAVE received your despatch of the 11th of September last, inclosing a copy of a letter which you had addressed to Kosoko and the Chiefs of Lagos who sided with him, with the view of preventing further hostilities between them and the rightful Chief of Lagos; and I have to inform you that I approve of the letter which you wrote with that object.

I am, &c.
(Signed) CLARENDON.

No. 34.

The Earl of Clarendon to Consul Campbell.

Sir, *Foreign Office, November* 4, 1853.

I TRANSMIT herewith, for your information and guidance, copies of two letters which have been addressed by my direction to the Secretary of the Admiralty, in answer to a question from the Lords of the Admiralty as to the expediency of sanctioning a continued and direct interference on the part of Her Majesty's naval forces in the civil wars at Lagos.

I am, &c.
(Signed) CLARENDON.

Inclosure 1 in No. 34.

Lord Wodehouse to the Secretary to the Admiralty.

Sir, *Foreign Office, November* 2, 1853.

I HAVE laid before the Earl of Clarendon your letter of the 26th ultimo, in which, with reference to the recent proceedings of Admiral Bruce at Lagos, you request to be furnished with his Lordship's views as to the expediency of continuing to interfere directly in the civil wars of that place.

I am directed by Lord Clarendon, in reply, to refer you to the letter which Viscount Palmerston addressed to the Lords of the Admiralty on the 27th of September, 1851. In that letter Lord Palmerston explains the reasons which had determined Her Majesty's Government to expel Kosoko from Lagos, and I am to state to you that Lord Clarendon adheres to the views expressed by Lord Palmerston with respect to Lagos, and as to the absolute necessity of preventing that place from again becoming the entrepôt of slave-dealers.

By the IInd and IIIrd Articles of the Treaty which was concluded between Her Majesty and the King and Chiefs of Lagos on the 1st of January, 1852, immediately after the expulsion of Kosoko, and after the reinstatement of Akitoye as King, it was stipulated that no person should be permitted to reside within the territory of Lagos for the purpose of carrying on the Slave Trade, and that no buildings of any kind should be erected there for that purpose; and that if, on the erection at any time of such buildings, the King and Chiefs of Lagos should fail or be unable to destroy them, they might be destroyed by British officers employed in suppressing the Slave Trade. It was also stipulated that boats belonging to Lagos might be seized if found engaged in that unlawful traffic, and generally it was agreed that if at any time the Slave Trade should be renewed at Lagos, it might be put down by force by Great Britain.

There can be little doubt that Kosoko's late formidable attack upon Lagos was instigated and supported by slave-dealers, and that if he had been successful the Slave Trade would soon have been re-established in its former extent at Lagos. It would then have become necessary for the naval forces of Her Majesty to compel Kosoko to observe the engagements entered into by the King and Chiefs of Lagos under the Treaty of the 1st of January, 1852; or, on his refusing, as would have been probable, to renounce the Slave Trade, again to expel him by force; and it appears to Lord Clarendon that the end which Her Majesty's Government have in view, namely, the suppression of the Slave Trade, will be best attained by preventing Kosoko and the Chiefs at Lagos who have sided with him from again acquiring the control of so important a position in the Bight of Benin.

I am, &c.
(Signed) WODEHOUSE.

Inclosure 2 in No. 34.

Lord Wodehouse to the Secretary to the Admiralty.

Sir, *Foreign Office, November* 2, 1853.

WITH reference to my letter of this day's date respecting the state of affairs at Lagos, I am directed by the Earl of Clarendon to transmit to you the accompanying despatches* from Mr. Campbell, Her Majesty's Consul at that place; and I am to request that you will draw the attention of the Lords Commissioners of the Admiralty to the contents of those despatches, as showing the importance of Lagos, and the necessity both of upholding British influence at that place, and of maintaining in power a Chief who is disposed to prevent the renewal of the Slave Trade.

I am also to request that you will move their Lordships to send instructions to the above effect to Rear-Admiral Bruce.

I am, &c.
(Signed) WODEHOUSE.

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* Nos. 23, 26, and 27.

No. 35.

Lord Wodehouse to Consul Campbell.

Sir, *Foreign Office, November* 16, 1853.

I AM directed by the Earl of Clarendon to acquaint you that your despatches dated the 1st, 10th, and 11th of September, have been communicated to the Lords Commissioners of the Admiralty, and that Lord Clarendon has been informed that their Lordships have transmitted copies of them to Rear-Admiral Bruce, and have instructed him to uphold British influence at Lagos, and to maintain in power a Chief who is disposed to prevent the renewal of the Slave Trade.

I am, &c.
(Signed) WODEHOUSE.

No. 36.

Consul Campbell to the Earl of Clarendon.—(Received November 16.)

My Lord, *Lagos, September* 19, 1853.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of July 18, transmitting to me copies of two letters addressed by the late King of Lagos, Akitoye, to the Commander-in-Chief of Her Majesty's Naval Forces on this station, complaining of the conduct of Mr. Fraser, late British Vice-Consul at Lagos, and requesting his removal, and instructing me to make a report to your Lordship respecting the grounds of complaint made by the late King against Mr. Fraser.

I therefore forward to your Lordship copy of a letter I received from Akitoye a few days after my arrival at this place, detailing among the grievances the conduct of Mr. Fraser towards him in the matter of M. Amadie, the slave-trader, and of Tinnaboo's slave-girl, that had been lent to the late Mrs. Sandeman.

From the inquiries I have made and from statements made to me by the late King, I believe his complaints to be well founded. Akitoye complained that Mr. Fraser's demeanour in his intercourse with him was overbearing and utterly wanting in respect, and that on some occasions when the King gave Mr. Fraser an audience he sat with his hat on—conduct different from that of Her Majesty's naval officers and other white gentlemen who visited him.

Mr. Fraser evidently gave grave cause of offence to the King by his intimacy with the Portuguese and Brazilians, and with the two rebel Cabooceers, Agineah and Pellew, who were the instruments of these Slave Traders in their endeavours to drive away Akitoye and bring back Kosoko.

Not being able to speak the language of the country Mr. Fraser, in his communications with the natives was necessarily compelled to employ interpreters; he could only find these among the liberated Africans from Sierra Leone or the youths educated by the missionaries at Badagry and this place. Having made himself obnoxious to this class by, if not joining in the outcry raised by the merchants against their settling in Lagos, and in the attempts made to prevent their landing from the mail packets, at any rate, by making no efforts to assist them, or to do away with the unworthy prejudice entertained against them, Mr. Fraser cannot be surprised that his interpreters should divulge his communications with the rebel chiefs. Through this channel it has been reported to me that an attempt was intended to be made by these Chiefs and the Slave Traders to oppose my landing at Lagos, had I entered the river by any other means than the boat of a man-of-war: further, that Mr. Fraser made most improper representations to these two Chiefs as to my intentions towards them, which caused great inconvenience in my intercourse with these Chiefs, and induced one of them, Pellew, not to pay me the customary visit.

Akitoye, beyond doubt, had too much cause to complain that Mr. Fraser never employed the influence his position ought to have given him in conciliating the two parties; but, on the contrary, by treating him with marked disrespect and contempt, and keeping on intimate terms with every one opposed to him,

Caboceers, merchants, and slave-traders, he encouraged, rather than checked the spirit of rebellion, which at length brought on the contest that broke out the morning after Mr. Fraser left Lagos.

On looking over the archives of Mr. Fraser's Vice-Consulate I found the translation of a letter from Tappa the Caboceer to Mr. Fraser, written in a strain of violent and threatening abuse against Akitoye, in which the epithets, "scoundrel, wretch, coward," &c., are freely applied to the unfortunate man.

It is for your Lordship to consider whether Mr. Fraser, in his position towards Akitoye, should not have returned such a letter to the writer of it.

I have, &c.

(Signed) B. CAMPBELL.

Inclosure in No. 36.

King Akitoye to Consul Campbell.

Dear Sir, *Lagos, July* 29, 1853.

I BEG to lay the following charges before you, which I was only waiting for you to take up, but I cannot do this without giving you a brief account of things for your information: that Agineah and Pellew were originally slaves brought from the interior, and brought here, who, after their master's death, seeming very promising, were raised to the post of war chiefs; that in the preceding reign they were turned away with Kosoko from the island for their perfidy toward my predecessor; that while in exile, the country suffered continual molestation from the repeated attacks they made upon the people going up and down the river to trade, plundering their property, and killing and capturing all such as came within their reach, which was very detrimental to the prosperity of the trade of Lagos; that in consequence thereof, upon my accession to the Throne, I brought back home all those who were turned away for their misconduct, with a view of gaining them to my interest, that Lagos might enjoy perfect tranquillity; that this generosity of mine had a contrary effect; Agineah and Pellew confederated with Kosoko, and after waging war with me for twenty-two days, they obliged me to quit my dominion, and then scenes of the most horrid and atrocious nature followed; they cruelly put to death my wives, children and people, and made Kosoko their King. For eight years I was in exile, and when every other means failed of obtaining me my kingdom, I applied to the English, and they kindly undertook my cause, drove away Kosoko and his allies, and replaced me on my throne. Kosoko and Tappa fled to Epé, one of the Jaboo towns; but Agineah and Pellew, desiring to be forgiven by me, did not go with them. As soon as their mind was made known to me, I again offered them the hand of friendship, and permitted them to return home, and retain their posts as war chiefs; I did this in order to free Lagos from their depredation.

A year after their return, finding they could not acquire such immense wealth from the palm-oil trade as from the Slave Trade, they began to murmur at me for being the means of the extinction of the Slave Trade; and they have determined to revive it one day, either by carrying it on secretly as they have done, or by using their endeavours to overthrow me. To this they are much encouraged by the Portuguese, and this is the main-spring of their dissatisfaction and rebellion.

If the aiding of the King's enemies; bringing war against the King; or attempting to compass his death in any wise, constitute high treason, Agineah and Pellew are guilty of high treason, though they will tell abominable falsehoods to cover their wicked actions. Their messengers have been frequently seen with Kosoko; and when I called them to answer for their conduct, they swore by all the gods we worship that they have had no intercourse with him. Well, with us perjury is a very common thing, and therefore I could not take their word. They have sworn this on a former occasion, and yet, after all, they fought against me and drove me away. Agbaje, one of my subjects, who is on the side of Agineah and Pellew, was once found sending messengers to Kosoko; I called for an assembly of Chiefs to examine his case, and to hear his defence; Agbaje was therefore sent for, but Agineah and Pellew rising from their seats declared he

should not come; and to this day he has not made his appearance. I then sent to tell him to quit my dominions; but Agineah and Pellew told him he should not go, and if I should make use of force to send him away, they would be prepared to defend him. They, however, begged pardon afterwards, and agreed to pay a fine; which they did. Here is one instance of protecting the guilty, and exciting rebellion.

After this these two Chiefs appeared in my house accompanied by a great number of Mahomedans with their swords, as if to attack me, for they never before came in such great number; and I therefore issued a decree that no one was to appear in my house with his sword, in consequence of which they have since refused to attend Court (though I sent them repeated messages), pretending that I wanted to kill them.

A short time ago, when my people who were pursuing their trade were attacked by Kosoko's party on the river, I issued a proclamation that none of my subjects should go that way to trade. Agineah was the first violator of this rule; his canoe was caught returning from Kosoko's quarter, with a symbolical letter of correspondence. In strong attestation to the fact of their secret alliance with Kosoko, I subjoin the copy of a letter addressed to the Rev. C. A. Gollmer by the Rev. H. Townsend, dated May 21, 1853.

"My dear Brother,

"I am requested by Sagbua, Ogubonna, and other Chiefs of Abbeokuta, to write to you. They beg me to state for your information, and that of all whom it may concern, especially any British authority, if there be any in Lagos, that they have heard through the Jaboo people that Kosoko is using means to regain possession of Lagos, and that Agineah and Pellew, and other Chiefs of Lagos, are in secret alliance with him, and using means, either by promoting civil commotion or that of engaging to aid an attack from Kosoko, to obtain possession of Lagos again for him. They earnestly beg that you may be on your guard, especially against the secret friends of Kosoko, *i. e.*, Pellew, Agineah, and other Chiefs of Lagos, for they have every reason to rely on the information they have obtained. I think it would be wise to bring the Consul or the senior officer in the Bight acquainted with the state of things, for a second Badagry affair may take place if precautions are not used. The Slave Trade party have lost too much to take it quietly without an effort to regain their lost power.

"With kind regards,

"H. Townsend."

On the appearance of the last moon the Mahomedans celebrated their annual festival; but as they proceeded to their praying ground, the day after the appearance of the moon, headed by Agineah their chief, they completely armed themselves, carrying about with them muskets, kegs of gunpowder and of shots, and bows and arrows. On their return they sang many vaunting and contemptuous songs, bidding me and my people defiance. I was not prepared to expect this, as they have never done so before.

Allow me to state for your information, that most of Agineah's people are my own subjects, who upon embracing Mahomedanism join his standard, and all such he owns as his people. I apprehend that if I were to allow the religion to prevail, the Mahomedans will one day subvert my Government.

Of late three individuals have been found slave-trading secretly; one of them being a European, I expelled him from the country, according to the Treaty; the other being a native, I imprisoned and fined him; but the third, whose name is Ojai Ogbifo, fled to Agineah, and to this day is under his protection. I sent repeated messages to Agineah to deliver him, but he has refused to this day. Here is another instance of protecting the guilty and countenancing rebellion.

About seventy of Kosoko's people, who have deserted him and have taken refuge here, were sold to Porto Novo or Badagry, by Agineah. One of them, for fear he would be sold, ran to Osogbon, one of my chiefs, for protection; and this is his own statement. This man is still with Osogbon. Agineah and Pellew have endeavoured to throw off their allegiance to me, because they say Lagos is under the control of the English. I cannot endure Agineah and Pellew any longer, on account of their treachery and rebellion. Therefore for the sake of the peace and welfare of the country—for the sake of saving hundreds of

innocent lives. I would humbly request you to remove these two individuals from my dominion; for peace is all I want.

I am sorry to say that the Vice-Consul, Mr. Fraser, has since his residence here done nothing worthy of his Vice-Consulate. He has never asked my advice nor consulted me in anything, but has allowed his own judgment to be overruled by that of his friends, who have proved themselves to be my enemies. The Portuguese slave-dealers were his close friends; and when I imprisoned M. Amadie, the Portuguese, found slave-trading, Mr. Fraser came to frighten me to release him from imprisonment.

At the instigation of Mr. Sandeman, this same Mr. Fraser greatly imposed upon me, by demanding in a very unjust manner Tinnaboo's female servant from me; and on refusing, because I could not see a just and fair reason, he falsely represented the case to an officer of Her Majesty's ship, who came and insolently took away the girl, and gave her to Mr. Sandeman. This girl was lent to serve as a nurse to Mrs. Sandeman's children, when she applied to Tinnaboo for a nurse at Badagry; but upon the death of Mrs. Sandeman and her two children, Tinnaboo sent and took away her servant, because her services were no longer needed. The same girl is still with Mr. Sandeman.

I am also sorry to state that I found a very great difficulty in expelling the Portuguese slave-dealers, agreeably with the Treaty. I was obliged to force them away; and some of them have since returned here. They are a very deceitful set of people, and are, I am afraid, at the bottom of all these disturbances.

I have, &c.
(Signed) AKITOYE.

No. 37.

Consul Campbell to the Earl of Clarendon.—(*Received November* 16.)

My Lord, *Lagos, September* 30, 1853.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch dated the 30th of July, 1853, transmitting copies of two despatches received from Mr. Fraser, the late Vice-Consul at this place, with their inclosures, relative to the imprisonment, by the late King Akitoye, of M. Amadie for slave-trading at Lagos; and to the charge brought by the Rev. Mr. Townsend, a missionary at Abbeokuta, against Possoo, a Chief of Lagos, of being in secret alliance with the ex-King Kosoko with the view of restoring him to power, and desiring me to make inquiry into the circumstances stated in Mr. Fraser's despatches, and report the same to your Lordship.

As M. Amadie, in his letter to Mr. Fraser dated the 27th May last, three days prior to the date of Mr. Fraser's despatch addressed to your Lordship, admits his slave-trading transactions, I am at a loss to conceive how Mr. Fraser could feel himself justified in interfering with Akitoye, beyond approving the energetic measure of the King, and pressing for M. Amadie's immediate expulsion. He appears, on the contrary, to have joined in the outcry against Akitoye on this occasion; and by so doing discouraged, rather than encouraged, the King to put in force his Treaty stipulations with Her Majesty's Government.

Akitoye in his letter to me dated the 29th July last, copy of which is inclosed in my despatch dated the 20th instant, distinctly and bitterly complains of Mr. Fraser's conduct in the matter of his imprisonment of Amadie.

Mr. Fraser's interest for the liberation of Amadie may be accounted for from the circumstance that they were constant companions, and that Mr. Fraser spent much of his time with this man.

With reference to the intrigues of the Chief Possoo, and others, to bring back Kosoko to Lagos, I must refer your Lordship to my despatch of the 1st instant, where I have detailed the proceedings of the rebel chiefs, and the actual landing of Kosoko and his force at the Chief Possoo's house, thus confirming literally the information contained in the Rev. Mr. Townsend's letter from

Abbeokuta of the 21st of May last, which information, on reference to that letter, appears to have come from the principal Chiefs of Abbeokuta, and was conveyed hither by the Rev. Mr. Townsend at their request.

I have, &c.
(Signed) B. CAMPBELL.

No. 38.

Consul Campbell to the Earl of Clarendon.—(*Received November* 16.)

My Lord, *Lagos, October* 1, 1853.

ON the occasion of my paying a formal visit to Docemo, the new King of Lagos, accompanied by Commander Gardner and Lieutenant Commander Pearce of Her Majesty's ship "Atholl," and several of the officers of those ships, Docemo stated to us his intention faithfully to adhere to the Treaty stipulations made by the King and Chiefs of Lagos with Her Majesty. After a short interval, he alluded to the customs heretofore observed at Lagos on the death of the Kings. Conceiving that he alluded to the frightful custom of sacrificing several of the King's wives and attendants on such occasions, I immediately reminded Docemo that human sacrifices were expressly forbidden by the Treaty; that the observance of that part of the Treaty was of the utmost importance; and that we should hear with horror of such sacrifices taking place. Upon hearing this, the Chiefs expressed their satisfaction in the usual way; the unfortunate victims usually sacrificed on such occasions, the domestic slaves, many of whom were in the hall and heard what had passed, remained silent. The King assured me that this stipulation in the Treaty should also be rigidly adhered to.

After the lapse of a few days several of the late King's wives and domestic slaves took the alarm and ran away, seeking refuge in various parts of the town; some came to the Consulate: after keeping them a short time, to allow their alarm to subside, I sent to the King informing him of the cause of their running away, and that I hoped there was no ground for their alarm; he sent me word back that having given his solemn assurance that no human sacrifices should take place, he intended not to violate his word; that several of Akitoye's wives and the domestic slaves, among them twenty-two boys, had run away and concealed themselves; but that he would send the crier round to invite them back, with his assurance of their perfect safety.

Upon this, I am informed, several of them returned to the late King's house, and I have heard of no fresh alarm among them.

The Rev. Mr. Gardner, of the Wesleyan Missionary Society, on his return from a visit to Badagry, lately, brought with him one of the twenty-two runaway boys, who having fallen into the hands of a servant of Senhor Marco's, one of the expelled slave-traders, had by him been sent to Badagry for sale; but the boy being met by Mr. Moses, a catechist of the Wesleyan Missionary Establishment at Badagry, and relating the story of his flight, was detained by Mr. Moses and handed over to the Rev. Mr. Gardner, who handed the boy over to me.

The boy's statement was to this effect: that, immediately on the death of Akitoye, one of his attendants called into the King's chamber, two of his comrades named Ochow and Lashie; that they remaining a long time, and not returning, it was concluded that they had been sacrificed, and their blood used to wash the late King's feet; that the boy being alarmed, he, with several others, ran away. Feeling very anxious to ascertain whether any human sacrifices had been made on Akitoye's death, I immediately set on foot an inquiry in the most secret manner I could; the result of which tended to confirm the boy's statement.

However, the matter coming to the ears of King Docemo, and he learning the names of the boys said to have been sacrificed, set on foot a search, and soon succeeded in finding one of them, Ochow, supposed to have been sacrificed; brought him to the Consulate, and assured me that no human sacrifices had been nor should be made, and that he would use every effort to recover the other boy, Lashie. Docemo at the same time informed me that a Mr. J. P. Brown,

who belongs to Cape Coast, had taken with him, in the mail steam-packet "Hepe," two of the runaway boys belonging to the King, and he was fearful several others had been sold. The boy from Badagry being confronted with the one brought by the King to the Consulate, immediately declared him to be Ochow.

The recovery of this one boy from Badagry, the searching inquiries made into his statement, and the deep interest the King and Chiefs of Lagos find is taken in the matter of human sacrifices; the certainty that the unfortunate class usually the victims for this cruel purpose, will, on the least alarm, run to the Consulate or to the Church Mission-house, will, I feel certain, deter the Chiefs from complying with the barbarous custom of their ancestors; and, I now, with confidence, feel myself at liberty to report to your Lordship that human sacrifices at Lagos are at an end, so long, at least, as Her Majesty's Government takes an interest in the suppression of the Slave Trade at Lagos, and in the prosperity of the extensive country of which it is the port.

I have, &c.
(Signed) B. CAMPBELL.

P.S.—I am informed by persons conversant with the customs of Lagos and the surrounding countries, that but for this humane provision in the Treaty with Akitoye and the Chiefs of Lagos, at least 100 persons, wives and domestics of the late King, would have been sacrificed at his death.

B. C.

No. 39.

Consul Campbell to the Earl of Clarendon.—(*Received November* 16.)

My Lord, *Lagos, October* 7, 1853.

AFTER Akitoye's contest with his two rebellious Chiefs, and their expulsion with Kosoko, as reported in my despatch dated 1st of September, he felt so convinced that the slave-traders, Brazilians and Portuguese, were the instigators of the rebellion—Senhor Lima, one of their party, having accompanied Kosoko to Lagos—that he determined on their expulsion from his territories, and gave them all notice to leave Lagos, either in the vessels which were then lying in the roadsteads consigned to them, or by the mail steam-packet.

To this notice, finding Akitoye in a weak state of health, his authority not fully established, and his Civil Councillors open to receive bribes, they paid little attention; some of them did embark their property on board the vessels and went to other parts of the coast; but a Senhor Couto and a Senhor Gill, on the death of Akitoye and the accession of his son to the kingship of Lagos, refused to leave when urged to do so by Docemo, stating, that now Akitoye was dead, Kosoko was the only King who had authority to order them away. Upon this Docemo waited till the arrival and departure of the "Hope" mail-steamer, when, finding them determined to resist his authority, he seized and confiscated the palm-oil and empty casks the slave-traders had on the beach, to the extent, it is said, of 120 puncheons. So perverse and determined were these men not to obey Docemo that, although they had no less than three vessels in the roadstead consigned to them, so far from embarking their palm-oil on board of any of the vessels, they, in defiance of Docemo's orders not to land anything from their vessels, landed some 200 puncheon packs, which the King has, I hear, confiscated also.

Upon this, finding that Docemo was not to be trifled with, they embarked on board their vessels and proceeded to the port of Jaboo (of the charts), near to Epé, where Kosoko and the three rebel Caboceers have taken refuge, and from whence, with their numerous large war canoes, they commit their piratical attacks on the trading canoes proceeding between the Egba country and the Jaboo country and Lagos.

The master of the Sardinian brig "*Carlotta*," from his statement to me, appears to have been kept in the dark by his consignees as to their position here, and he applied to me to intercede with the King for the restoration of the

palm-oil, as being the property of Senhor Carena of Bahia. I did apply to the King in the matter, but found him determined on detaining it, as the only means of compelling those slave-traders to leave the place. I therefore did not deem myself justified in pressing the King any further.

But the departure of nearly all these desperate men, with their vessels, an Austrian barque, the Sardinian brig "*Carlotta*," Sardinian schooner "*Fulmine*," a sharp, long, low vessel, built expressly for Slave Trade, and the Jersey schooner "*Deslandes*," has placed Docemo and the trade and peace of Lagos in a worse position than before. The port of Jaboo being within the limits of Lagos, the King suffers in revenue from the cargoes of these vessels being landed there, and Kosoko is on the other hand strengthened by the customs and presents he will receive from the slave-traders. His powers for mischief are also greatly increased, and he has not failed to avail himself of them by sending word to all the Chiefs around favourable to the Slave Trade, that the slave-traders have put themselves under his protection, and that the vile traffic will be carried on in spite of the English.

The Chiefs of Abbeokuta having determined to rid the country of Kosoko, and the rebellious Cabooceers whose piratical doings on the lakes interrupt their trade and intercourse with Lagos, and have caused already the loss of many lives and canoes, and much property belonging to the Abbeokutans, have placed a large force, from 3,000 to 4,000 fighting men, at the disposal of Docemo, to assist him in dispersing Kosoko and his party; a portion of this force has reached the town this day.

Under these circumstances, considering it a good opportunity to crush the power of these desperate men, who are determined if possible to regain Lagos, restore the Slave Trade, and revenge themselves upon all Englishmen who may fall into their power, I have applied to Commander Phillips, of Her Majesty's ship "Polyphemus," senior officer, to render King Docemo and the Abbeokutans all the aid he can with the force now at his disposal—his own ship, Her Majesty's steam-ship "Alecto," and Her Majesty's ship "Waterwitch;" and I am in hopes that Commander Phillips will feel himself, under the circumstances, authorised to render the assistance required from him.

The force of boats from these three vessels, and the forces of Docemo and the Abbeokutans, about 4,500 musketry men, place the successful results of their operations beyond a doubt; which will restore tranquillity to Lagos and the countries around, and strike a desperate blow at the Slave Trade of this part of the Bight of Benin, which it is my duty to report to your Lordship is greatly on the increase in all the ports to the westward; and unless put down will enable Gezo, King of Dahomey, to regain the power he lost by his unsuccessful attack on Abbeokuta.

I have, &c.
(Signed) B. CAMPBELL.

No. 40.

The Earl of Clarendon to Consul Campbell.

Sir, *Foreign Office, November* 17, 1853.

I HAVE had under my consideration, and have consulted the Law Officers of the Crown upon, the notice of which a copy is inclosed in your despatch of the 23rd of July, which you propose publishing within the district of your Consulate, with the view of cautioning British subjects of the risk to which they expose themselves by receiving as presents, and holding in servitude, young Africans in a state of slavery; and I have to acquaint you, that the Law Officers have suggested an alteration in the wording of your proposed notice, and that I approve of your issuing this caution, and making it generally known within the district of your Consulate, in the amended form herewith inclosed.

I am, &c.
(Signed) CLARENDON.

Inclosure in No. 40.

Caution.

IT having come to my knowledge that British subjects, resident or trading within the limits of the Consulate (Cape St. Paul's and Cape Formosa), have hitherto been in the habit of receiving as presents from the natives, slaves, generally boys or girls, and employing such slaves for domestic or other purposes, I hereby warn all British subjects that the acceptance of slaves as gifts is highly objectionable and improper; and the employment of them exposes British subjects to serious risk of acting illegally and in breach of the provisions of the 6th and 7th Vic. c. 98; and, that I shall, as in duty bound, report to the Right Honourable Her Majesty's Secretary of State for Foreign Affairs, every instance of the acceptance by British subjects of slaves, as gifts, from natives, which may come to my knowledge:

And I also warn such native-born traders, residing or trading within my Consular jurisdiction, who consider themselves entitled to British protection, that, in any disputes which may arise between themselves and other natives of the country, out of the acceptance of slaves as gifts, they will receive neither countenance nor protection from any British authority.

Lagos, July 23, 1853.

(Signed) BENJAMIN CAMPBELL,
Her Majesty's Consul for the Bight of Benin.

No. 41.

The Earl of Clarendon to Consul Campbell.

Sir, *Foreign Office, November* 22, 1853.

I HAVE received your despatch of the 1st of October, stating that reports which had reached you respecting sacrifices of slaves which were supposed to have taken place at Lagos, upon the death of the late King Akitoye, had induced you to cause this rumour to be carefully investigated; and that the result of your inquiries has enabled you to assure Her Majesty's Government that human sacrifices at Lagos are at an end.

I have to acquaint you that Her Majesty's Government have learnt, with great satisfaction, that this horrible practice has not been renewed upon the occasion of the late King's death.

You will make a communication to this effect to King Docemo, and you will express to him the confident hope of Her Majesty's Government, that he and the other Chiefs will faithfully observe Article VII of their Treaty with Great Britain of the 1st of January 1852, and that human sacrifices will never again occur at Lagos.

I am, &c.
(Signed) CLARENDON.

No. 42.

The Earl of Clarendon to Consul Campbell.

Sir, *Foreign Office, November* 23, 1853.

I HAVE received your despatch of the 7th ultimo, reporting that the European slave-dealers who have been expelled from Lagos, have joined Kosoko and the rebel Cabooceers at Jaboo, from whence they commit piratical attacks on the canoes trading between the Egba country and Lagos; and that the Chiefs of Abbeokuta, in order to rid the country of Kosoko, and to stop these outrages, have placed at the disposal of King Docemo a large force of fighting men. And you state that, under these circumstances you have applied to Commander

Phillips of Her Majesty's ship "Polyphemus" to afford to King Docemo and to the Abbeokutans the aid of the force under his command, in endeavouring to subdue Kosoko and the gang of desperate slave-dealers, who you say are determined to regain Lagos, to restore the Slave Trade, and to revenge themselves upon all Englishmen who may fall into their power.

I have to acquaint you, in reply, that Her Majesty's Government entirely approve of your having made this application to Commander Phillips.

I am, &c.

(Signed) CLARENDON.

No. 43.

Consul Campbell to the Earl of Clarendon.—(*Received December* 2.)

My Lord, *Lagos, October* 20, 1853.

WITH reference to my despatch dated 13th September last, reporting to your Lordship the circumstance of the Sardinian brig "*Carlotta,*" laden with casks and staves, consigned to the slave-traders of this place, which vessel had on board, independent of her ordinary provision of water for the vessel's use, seventy-three puncheons containing fresh water, which had been filled from alongside in one of the docks in London (the West India Dock, it is said); I have now the honour to report to your Lordship that the Jersey schooner "*Deslandes,*" Le Bas master, cleared out from the port of London about the same time as the "*Carlotta,*" with a cargo consisting of some twenty bales of dry goods, several packages of cowries, a quantity of casks in shooks, and, according to the admission of the master to Commander Phillips of the "Polyphemus," twenty-five tons of fresh water, taken from alongside in one of the docks in London. This cargo was laden by and consigned to the same parties as the "*Carlotta's*" cargo.

When M. Le Bas, the master of the "*Deslandes,*" came to this Consulate, I thought it my duty to warn him that his vessel and cargo were consigned to persons certainly doing some legitimate business in palm-oil, but at the same time notoriously engaged in Slave Trade; and I requested him the next time he came on shore to bring his copy of the bill of lading, that I might see it, and I strongly advised him to request his consignees to show him their invoices, that he might see and inform me on whose account and risk the cargo had been shipped—whether on British or foreign account. M. Le Bas promised so to do; he returned on board his vessel, but never came near me again, and, by direction of his consignees, I suppose, he weighed anchor, and proceeded to the port of Jaboo, whither the expelled slave-traders have established themselves under Kosoko's protection. The master of the "*Deslandes*" concealed from me the fact of his having on board twenty-five tons of fresh water as cargo; but he inadvertently mentioned it to Commander Phillips. Had I been aware of this large quantity of water being on board the "*Deslandes,*" I should certainly have recommended her being detained and sent to the Court of Vice-Admiralty at Sierra Leone. It appears to me a stronger case for condemnation than either the "*Guiana*" or the "*Augusta,*" condemned in that Court. Another Jersey vessel, the "*Spy,*" is daily expected from the same parties as the "*Deslandes.*"

I have the honour to inclose for your Lordship's information a list of the vessels consigned to these parties, the expelled slave-traders, their tonnage, cargoes, &c., and I feel satisfied that but two of these vessels, the "*Deslandes*" and the "*Robusta,*" were destined to take away legal cargoes of palm-oil. The Austrian barque, it may probably be intended should return in ballast. The "*Carlotta*" and the "*Fulmine*" there is very little doubt are destined to carry off slaves; the 73 puncheons of water (about 8,500 gallons) brought by that vessel, and the 25 tons (about 6,500 gallons) on board the "*Deslandes,*" would very materially assist any intended Slave Trade operations by the "*Carlotta*" and the "*Fulmine,*" as firewood, provisions, and mats are very easily shipped through the surf; not so heavy casks of water: and it is a notorious fact, and not of unfrequent occurrence, that rather than ship water from the shore, the masters and parties interested in Slave Trade adventures will, and do, readily pay to the

trading vessels on the coast, the masters of which do also as readily sell, fresh water, at the rate of one doubloon for a puncheon full.

Every one of the slave-traders in the Bight of Benin, Domingo Martinez, and the rest of them, now carry on a palm-oil trade in conjunction with their Slave Trade ; the former conveniently subserving to the latter, which adds to the difficulty of its suppression.

I have, &c.
(Signed) B. CAMPBELL.

Inclosure in No. 43.

LIST of Vessels that have arrived in the period from July 21 to September 20, 1853, to the address of Señor Couto and other Slave Traders expelled from Lagos.

Name and Description of Vessel.	Master.	Tonnage.	Nation.	From what Port.	Cargo.	REMARKS.
Schooner "Robuste"	..	160	French	Bahia	Rum and roll-tobacco	It is said shipped a cargo of palm-oil at Aghwey and sailed for France.
Schooner "Fulmine"	Torrea	170	Sardinian	Ditto	Ditto	This vessel is, beyond doubt, intended to carry off a cargo of slaves. She is a long low fast-sailing vessel, and the master admits built expressly for Slave Trade. She has been upwards of two months on the coast, and has got a large portion of her outward cargo on board.
Barque "Milnika"	T. B. Florio	256	Austrian	Ditto	Ditto	Since she left Lagos has not been heard of.
Brig "Carlotta"	Giuseppe Bonsignore	152	Sardinian	London	Puncheon shooks and 73 puncheons filled with fresh water	Landed some of the puncheon packs on Lagos beach, which were confiscated, the remainder were landed at Jaboo; the 73 casks fresh water were started by order of Commander Phillips. It is supposed the "Carlotta" left Jaboo with very little palm-oil on board.
Schooner "Deslandes"	Le Bas	150	English	Ditto	Puncheon shooks, bale goods, cowries, 25 tons fresh water	On the late visit of the "Polyphemus" to Jaboo, M. Le Bas informed the boarding officer that he had received but twenty tons of oil on board. The party of Egbas who destroyed the barracoons at Jaboo, state that they found about thirty puncheons of palm-oil at the place which they destroyed. The "Deslandes" is supposed to have left Jaboo.

Consulate, Lagos, October 31, 1853.

(Signed) B. CAMPBELL, *Consul.*

No. 44.

Consul Campbell to the Earl of Clarendon.—(*Received December* 2.)

My Lord, *Lagos, October* 20, 1853.

WITH reference to my despatch dated 7th October last, informing your Lordship that an armed force of Abbeokutans and Lagos people, assisted by boats from Her Majesty's vessels "Polyphemus," "Alecto," and "Waterwitch," were about to proceed to Epé, on the Lagoon, with the intention of attacking that place, and dispersing Kosoko and his followers, who, since they were strengthened by the accession of the slave-traders expelled from Lagos, have increased their depredations on the Lagoon, to the complete stoppage not only of the trade of Lagos but of the supply of provisions; I have now the honour to report to your Lordship that the expedition returned without having accomplished the object for which it was undertaken.

From the report of some prisoners taken, confirmed by intelligence obtained from parties favourable to Lagos, it appears that on the morning of the 12th, when the firing from the boats was renewed, Kosoko, Tappa, Agineah, and Pellew, took their departure from Epé, leaving a strong party in the trenches and other defences of the town to maintain the contest, if possible, until dark, so as to cover their retreat, dreading greatly the pursuit of the Egbas. Indeed, from all accounts the town would have been evacuated had the force remained until the morning of the 13th.

I inclose for your Lordship's information a copy of Commander Phillip's narrative of the proceedings of the expedition, with which he furnished me.

The indecisive results of the expeditions against Kosoko tend to keep alive the hopes of those Chiefs who look up to him as the great champion of the Slave Trade; and as all those Chiefs and their people are influenced by their superstition, they look upon Kosoko's escape from Lagos, when he landed in August last, to dethrone Akitoye, when in full confidence of his success he placed his fleet of large war canoes in a creek, completely at the mercy of the armed boats sent in by the Commander-in-chief, which, after firing a few shots at Possoo's house, under which the canoes were anchored, retired from the place—thus allowing him with most of his force to embark—and upon the indecisive results of the last and the previous expeditions, which turned back after proceeding about half way to Epé, as the result of his fetish influences.

Such notions, and the hopes they give rise to, are agitating the minds of the Chiefs in Yoruba and other quarters, as your Lordship will perceive on perusal of the Rev. H. Townsend's letter to me, dated Lagos, 17th instant, copy of which I do myself the honour to inclose. Mr. Townsend had just returned from a tour through a great part of the Yoruba country.

King Gezo's intention of again attacking Abbeokuta was whispered about some weeks ago; but it is now openly talked of, and that he hopes, through Kosoko's influence with the Jaboo and Ibadda provinces of Yoruba, to get the Chiefs and people in these provinces to join him in the attack.

I have, &c.

(Signed) B. CAMPBELL.

Inclosure 1 in No. 44.

Narrative of the Expedition to Epé by Commander Phillips.

October 10, 1853.—The boats of the "Polyphemus," "Waterwitch," and "Alecto," nine in number, manned by 120 officers and men, left Lagos at 1·20 P.M., proceeded across the Lagoon and to the eastward, anchoring for the night at 8.

11th.—Proceeded, having been joined by the canoes of Lagos and some Egba warriors. About 1 P.M. the market for slaves just established at Hedjenna was burnt by the canoes, one shot from a 6-pounder having dispersed its people.

Several canoes, eighteen or twenty pots of palm-oil, and some prisoners, were taken. A shot or two was fired at the expedition.

The boats waited here till the canoes came off, and then proceeded through a narrower reach of the river till it expanded into the basin, on the north shore of which Epé stands.

This basin is about three miles in length, and fully 800 yards across, and deep water; the shore thickly wooded and steep.

Epé lies round a basin-shaped hill, covered also with wood; the nearest houses probably 200 or 300 yards from the water, but so masked by forest and jungle that but a glimpse of any building could be obtained. There are but three landing-places; the western one, called the market, consisting of a few sheds close to the water, with stockade and stakes in the water. On the left of this the enemy must have entrenched or secured themselves, for an unexpected fire took place from it during the attack.

To the right of the market, and divided from it by a thick wood, was landing-place No. 2, a strong stockade with palisades driven into the water in front, and a house or two in the rear.

To the east was another building and landing-place, stockaded in the same way, and staked in the water.

Above and behind this position was a plantation.

At 4·15 the boats opened their fire on all these positions, the enemy judiciously reserving theirs till offered good opportunity.

After a few rounds, Achabon and Oguduqua, the Egba Chief, made a rush upon the market-place, which they considered the best point for landing, as nearest the town. An ambuscade and interior entrenchments drove them back, the boats pulling close in under a sharp fire to cover them, and then most of them assembling opposite this market-place, drove back the enemy. The canoes again advanced, and were again driven back, and this was continued till sunset; part of the boats and canoes working against No. 2.

Sunset terminated the contest, the boats and canoes anchoring out of musket range.

The men-of-war's boats cut out fifteen or twenty worthless canoes in this day's proceedings. Had a consultation with Achabon and other Chiefs this evening; they wished to work on the market-place next day. Consented, and told them I would sound the bugle when they were to advance.

12th.—At 7 A.M. began the second attack with a discharge of rockets; boats advanced and opened fire on the market-place. A division acting against stockade No. 2 as a diversion. This place was well breached. Apparently some buildings were set fire to by the shells and rockets, but extinguished again. Probably 100 Egbas had joined during the night; but, when I gave the signal to advance, it was disregarded. Messages were sent, and after some delay some small part of Achabon's force landed, and fired the market huts, but were quickly forced back pell-mell, the boats, as yesterday, pushing in to cover the retreat. An attempt to land on stockade No. 2 also failed from want of support. All this time the Egbas and many Lagos people remaining at a safe distance.

The attack now dwindled into such a fire from the boats and a few canoes as the enemy gave opportunity for. The enemy moved a large gun down to No. 2, and fired once with effect; but bringing a heavy discharge from four or five boats upon themselves, it was not repeated. Sent Captain Gardner to prevail on the Egbas to come on, but without effect; and at 10 A.M., finding we were wasting powder and losing lives without prospect of doing much further mischief, I called the boats in, and commenced our return, waiting till we were passed by our native allies. Our loss, which, singularly enough, fell entirely on the "Alecto," amounted to

2 Seamen killed,
1 Seaman severely wounded,
1 Marine slightly wounded.

Inclosure 2 in No. 44.

The Rev. H. Townsend to Consul Campbell.

Dear Sir, *Lagos, October* 17, 1853.

I HAVE to acknowledge the receipt of a copy of letters addressed by you to the King of Jaboo, Sagbua, Chief of Abbeokuta, and Bashurun. As I was from home when received at Abbeokuta, I could not personally attend to your request, but I doubt not they were faithfully translated by the Rev. S. Crowther to the Chiefs.

I desire to present to your notice that the efforts of Kosoko to obtain again a footing in Lagos prevents the natives settling down to peaceful avocations. One instance I will here mention. At the time the Egbas withdrew from Adu, through our mediation, the Adus promised to send messengers to Abbeokuta, to bring their affairs to a final settlement with the Egbas. After our return to Abbeokuta, considering that through fear or neglect this matter would be unnecessarily procrastinated, I sent a messenger to Adu, to remind them of their promise, and to conduct their messengers to Abbeokuta. The Adu Chiefs received my messengers, and consulted with the Chief of Porto Novo, to whom they look for protection, and at his instance refused to send messengers to Abbeokuta. It was while my messengers were at Adu that Kosoko landed at Lagos, and to this circumstance, and the hope thereby inspired, I have no hesitation in attributing this breach of good faith.

I think it right also to state, that in our late journey into the Yoruba country we were impressed with the feeling that the native Chiefs are looking at the contest near Lagos between Kosoko and Akitoye, and now with Akitoye's successor, with extreme anxiety; they sympathise with Kosoko, because he is the champion of the Slave Trade. I stated to the King of Yoruba that I regarded Kosoko's proceedings as acts of great folly, and could only account for them by the supposition that he was ignorant of the extent of British power. I represented the same to other Chiefs in various places, desiring to impress them with a feeling that a revival of the Slave Trade was hopeless; for only when this feeling is realised will they settle down in peace and the pursuits of lawful traffic.

I am impressed also with the belief that the Egbas are placed in a position of great difficulty while Kosoko is able to defy British power. Sagbua, the Chief of Abbeokuta, told me last week that he was greatly concerned for the result of the Epé expedition; for, if the English should be defeated, it would bring great shame on him and the Egbas. He told me on Monday last that he could not rest at night through anxiety for the result of the proceedings at Lagos against Kosoko. He has been informed that the King of Dahomey is preparing an overwhelming force to bring against Abbeokuta; this increases his anxiety and desire for a complete overthrow of Kosoko's party.

I must apologise for not having written from Abbeokuta. I was but a few days at home from a long journey, when I had to leave again for Lagos.

I remain, &c.

(Signed) H. TOWNSEND.

No. 45.

Consul Campbell to the Earl of Clarendon.—(*Received December* 2.)

(Extract.) *Lagos, October* 28, 1853.

AMONG the Treaties for the suppression of the Slave Trade with the Chiefs of the trading towns situated in the Bights of Benin one was concluded with Mayoo, of Badagry, the Chief then, and now in power there.

It appears that Mayoo is a revolted Chief from Porto Novo, and one of a class of men that, according to the principles which rule in such matters among the natives, can never be regarded by other Chiefs as the legitimate Chief of Badagry.

Mayoo's exercising authority at Badagry and concluding a Treaty with Her

Majesty for the suppression of the Slave Trade is therefore looked upon by the Chiefs of Porto Novo and other places, and by the rightful occupants of Badagry, who from one of those convulsions caused by the Slave Trade were driven from their town and forced to seek refuge at Porto Novo, as an insurmountable obstacle to the pacification of that part of the country, and the renewal of a friendly trading intercourse between Porto Novo and Badagry, and between those places and Lagos.

I have the honour to inclose, for your Lordship's perusal and information, copy of a letter I addressed to the King of Porto Novo, and of his reply.

It will be for your Lordship's consideration, on a perusal of these papers, whether it will not be advisable to recommend that the Treaty concluded with Mayoo should be annulled.

I also inclose, for your Lordship's information, copy of a letter I addressed to Mayoo, calling on him to destroy a factory he had erected at a place about mid-way between Lagos and Badagry, where a factory of Domingo Martin's receives the people kidnapped at this place, and then forwards them on by the sea-coast to Domingo's factory at Porto Novo on the beach.

Inclosure 1 in No. 45.

Consul Campbell to the King of Porto Novo.

Lagos, September 17, 1853.

BENJAMIN CAMPBELL, ESQUIRE, Her Britannic Majesty's Consul, sends his respects to Allajogun, King of Porto Novo, and has to inform him that, being appointed by Her Majesty Victoria, Queen of England, her Consul for the Bight of Benin, he has arrived, and is now residing at Lagos to carry on his duties as Consul.

These duties are to endeavour by every peaceable means to maintain peace and a good understanding between those Chiefs who have concluded Treaties with Her Majesty the Queen of England, and between those Chiefs and their people and the subjects of the Queen who may be trading in the lawful productions of Africa in the territories of the Chiefs, and it is a very important part of the Consul's duty to ascertain and report to the Government of the Queen of England every instance of those Chiefs violating the Treaties they have made by suffering the wicked slave-traders to ship off to foreign countries the poor and unoffending natives of Africa; also to denounce to the Queen's Government the names of those slave-traders who ship off Africans into slavery, so that the Sovereigns of the countries to which such slave-traders belong may punish them if they ever return home.

It is also the Consul's duty, when wars and misunderstandings arise between the Kings and Chiefs of this part of Africa, to endeavour by mediation and other peaceable means to reconcile the contending Chiefs with each other, and to use his influence to settle their disputes satisfactorily, if possible, so that an end may be put to foolish wars got up for no other purpose than to catch innocent people that they may be sold to the slave-traders.

The King of Porto Novo must have heard that the Queen of England, supported by all the powerful Sovereigns of the civilized world, and by all her own good people, is making strong efforts to put down the cruel Slave Trade, and, in its stead, to promote a trade in palm-oil, cotton, ivory, and the many valuable productions to be found in Africa.

The Consul has, therefore, heard with regret, since his arrival at Lagos, that the King of Porto Novo is waging war against Badagry, and not only stopping the peaceful trade to that place, but to Lagos also, to the great loss and inconvenience of the merchants and traders.

Now, the Consul wishes to put a stop to this state of things, and requests the King of Porto Novo to inform him what the Badagrians have done, and what the Lagos people have done, that their trade should be stopped, and the Consul will then try and bring these differences and disputes with the Chiefs of Badagry and the King and people of Lagos to a peaceable termination.

The Consul knows there are foreigners living in the King of Porto Novo's country, who not only carry on Slave Trade and export slaves, but who also

make palm-oil trade, and buy it from the poor natives at less than half the value, and that it being the interest of these foreigners that wars and disturbances should exist, so that fair and legitimate traders may fear to go and trade in that country, these foreigners do not hesitate to instigate these disputes, and to stir up strife between the King of Porto Novo and the neighbouring Kings and Chiefs.

The Consul hopes the King of Porto Novo will no longer listen to those people, and that he will accept the offer of friendly mediation which the Consul now offers him, to which he adds his best wishes for the King of Porto Novo's health and a long and peaceful life.

Inclosure 2 in No. 45.

The King of Porto Novo to Consul Campbell.

Porto Novo, September 26, 1853.

THE King of Porto Novo's compliments to Her Majesty's Consul, and he wishes to acquaint him that he is for peace; and he will ever be friendly with the peace-makers, such as the British Consul. The King of Porto Novo has signed the Treaty with the English, and have been relating to every English men-of-wars that come here, what they should do for him; and this is the fourth message he have been receiving from the English friend.

The King of Porto Novo is no enemy to Lagos, or Badagrians. The King of Porto Novo has already told the last captain that came here, that he wishes him to bring back Mewu, one of his subject, who is now residing at Badagry; and the Badagrians is to return to their native home, so that all wars may have an end; and without that, those who have be turned out of their town, will not allow any trade to be carried on in there town while they are out of the town.

The King of Porto Novo was told by the former captain that as he have signed the Treaty, no wars will ever enter his dominons; and he was made with a present a sword and 2 pistoles, with which he was told that those which he has given him is for peace; which the King of Porto Novo was very glad to receive, and so was his other Chiefs, was made each one of them present of a pistole.

Not long the Egbas send to tell Possoo, one of the Chiefs of Badagry, that he will take him home to Badagry, and he was gladen; and the King of Porto Novo, in the behalf of Possoo, gave the Egbas what they wanted from him, so that they may take him home; instead of taking him home, he was driven from where he went to meet them, to Addo; and then, the Egbas encamp the town, determining to break it. The King of Porto Novo pleaded hard in the behalf of my village Addo, to pay the Egbas whatever they should ask of them, but they will not listen to my sayings, but went on warring, that they will surely destroy Addo.

The King of Porto Novo was sorry to see his people at Addo starving, and young men and boys as well girls are dying with hungry. The Lagoon path to Addo was stopped by Mewu's people.

So as my people at Addo may get suplies of provisions, I therefore send the Asoes to clear the way to Addo.

When the King of Porto Novo was about to send the Asoes to clear the way, they were selling then at Addo 2 palm nuts for 4 cowries.

The King of Porto Novo has signed the Treaty, as well as the Egbas and Badagrians; but they had broken the English Treaty, by making wars with other towns.

The King of Porto Novo is very glad to let the British Consul know that he is no enemy to any town or villages around; and that if Mewu is returned to his home, and the other Badagrians to their own home, there will be no wars at all, but trading from this part to Lagos.

And, if Mewu is not willing to come back home, the British Consul is liable to take him to anywhere he should like to go; that the Badagrians may come home to there town, and every place will be peace with each other.

The King of Porto Novo was glad to learn in his letter to him, that he knows there are foreigners living here, not only going on in slaves trading and slaves export, but are buying palm-oil at the same time.

The King wishes to acquaint the British Consul that these foreigners does not trade in slaves, but palm-oil; and the foreigners does not monopolize all the palm-oil to themselves; but the fact is, the road is not safe to Badagry, so as people can take their oil there for sale. Porto Novians always suplies Badagry with oil for English merchants, so they usally suply custom to Godomeh.

The King of Porto Novo wishes the British Consul to know, that if the path to Badagry is opened, and will be glad to make trade with any towns, and that the slaves which are brought by Badagrians are sold to farmers, and all other working men; and they are buying slaves here for domestic use, but not for shipping, which is utterly abolish in this part.

The King of Porto Novo wishes the British Consul to try his endeavours in settling all affairs in these part, and establish peace around.

The British Consul is to know surely that if the Badagrian do not return to there home, they will not allow any trading canoes to pass by there side, to Badagry, for any sort of trade.

The King of Porto Novo wishes the British Consul peace, health, and happiness, and will be glad to hear from him soon as possible, that Mewu is come home and Badagrians is gone home; that every thing may be peace, so that trade may be carried on in short.

The King of Porto Novo begs to remain his truly friend,
(Signed) ALLAJOGUN, his ⋈ mark.

Inclosure 3 in No. 45.

Consul Campbell to Mayoo, Chief of Badagry.

Lagos, October 28, 1853.

HER Britannic Majesty's Consul sends his respects to Mayoo, Chief of of Badagry, and has received the message sent to him by Mayoo's son, "that Mayoo had burnt down the toll-house he had erected on the beach, on the road to Domingo Martinez's factory at Porto Novo.

The Consul now calls upon Mayoo to burn down also the house he erected for Domingo Martinez at Ajido, between Lagos and Badagry, at which place Domingo's clerk, or factor, receives the unfortunate people kidnapped at Lagos, and from thence forwards them to Porto Novo.

If, in five days from this, the Consul does not hear of this building being destroyed, it will be his duty to call upon Docemo, King of Lagos, to send people to destroy it, as the King of Lagos claims the territory on which the building is erected.

No. 46.

Consul Campbell to the Earl of Clarendon.—(*Received December* 2.)

My Lord, *Lagos, October* 31, 1853.

AFTER the return of the late expedition to Epé, some bickering took place between the Egbas and the Lagos people who went on that expedition, the former complaining that, being interior people, and unused to canoe-warfare and to canoe-paddling, the people of Lagos gave them their worst and ricketty canoes, and that, after a party of them had landed at the market-town of Hedjenna, mentioned in Commander Phillips's narrative, they were left by the boats, as well as the Lagos people, to get away as best they could. Some were enabled to do so in crazy canoes they found at the water-side, while others of them, unable to obtain canoes, were left behind and made prisoners; that, on this account, many of the Egbas, on arriving at Epé, hesitated to land; that a considerable number of them did land, and that the heaviest casualties fell on their body; but they declared their readiness to King Docemo, as soon as they had rested, to proceed by themselves along the beach to Olomowewe (Jaboo of the charts), and to destroy the slave barracoons and other buildings there, although aware that Kosoko had placed a large force to protect them.

King Docemo at once accepted their offer, and the Egbas, to the number

of rather more than 2,000, accompanied by some Lagos people as guides, proceeded to Jaboo on the 22nd instant.

King Docemo requested me to apply to Commander Phillips to proceed with the "Polyphemus" to Jaboo, to render assistance, should any be required.

I did not hesitate to ask Commander Phillips so to do, as, independent of meeting King Docemo's wishes, it was necessary to look after the Sardinian vessel "*Fulmine*," as, from the reports of some Cape Coast canoe-men, who had run away from Jaboo, it appeared that a cargo of slaves was ready for shipment there; and the "*Deslandes*," Jersey vessel, being at Jaboo, it was desirable to learn how the master had disposed of the twenty-five tons of fresh water he brought from London. The "Polyphemus," on the 23rd, proceeded to Jaboo, and found there the "*Deslandes*," and the Sardinian vessels "*Carlotta*" and "*Fulmine*," with their masters and crews all on board. The master of the "*Deslandes*" assured the boarding officer from the "Polyphemus" that he had started the twenty-five tons of fresh water brought from London into the sea.

It appears, from the report made to King Docemo by the Egba captains on their return to Lagos, that they were attacked by Kosoko's forces about ten miles before arriving at Jaboo; that they drove the advanced posts before them, and, on their meeting with the main body of Kosoko's forces, they also drove them to the lagoon, where most of them embarked in canoes and fled; that a party of Egbas, going to the building where the slave-traders had taken refuge, with the view of making prisoners of them and taking them to Lagos, these men, being armed with double-barrelled pistols, fired on the Egbas and shot three of them, upon which a rush was made at the slave-dealers and six were cut down; among that number were Senhors Lima, Couto, and Gill, all staunch friends of Kosoko. Several pipes of rum being about the building, the heads of the casks were broken in, and many of the young Egbas got drunk. The captains, thinking that many more would commit the same folly, and render their return home perilous, ordered a retreat, but not till after making a search for the slave barracoon, which they found deserted, but with recent traces of slaves having been there. They also found a large quantity of farinha, in puncheons, poopoo-tubs, and leaguers. Among the plunder brought away by the Egbas is a quantity of the large iron-hooping used for leaguers.

The Egba captains also state, that around the barracoons were several large leaguers with their heads out, in which were human excrement, from which they infer that slaves had been headed up in these leaguers and shipped on board some vessel. There had previously been a rumour at Lagos that a cargo of slaves had been recently shipped at Jaboo. It was also confidently stated that the main body of the Egbas having been descried from the vessel at anchor coming along the sand-beach, the circumstance was communicated to the parties on shore, and the slaves were then removed from the barracoon to a small island on the lagoon.

I have, &c.
(Signed) B. CAMPBELL.

No. 47.

Consul Campbell to the Earl of Clarendon.—(*Received December* 2.)

My Lord, *Lagos, October* 31, 1853.

I REGRET to have to report to your Lordship that the Slave Trade is greatly on the increase in the Bights of Benin.

It is very difficult to ascertain the names of the vessels which embark slaves, the operations of the slave-traders being carried on with great secrecy among themselves; and they are also shrouded from observation and report by others, not participating directly themselves in the Traffic.

Information has reached this Consulate, as well as the commanders of Her Majesty's vessels stationed in the Bight of Benin, that cargoes have been shipped from Block-house, Porto Segoora, Great Popoe, Little Popoe, and Aghwey. The two last-named ports appear to be the most frequently selected for embarking slaves.

I have not heard of any shipment of slaves having been made from Whydah. The King of Dahomey, whose authority on the coast beyond Whydah appears but nominal, has, it is said, strictly forbidden any shipments of slaves being made from that port. But this prohibition does not much inconvenience the numerous slave-traders residing at Whydah, as they send their slaves along the lagoon to Little or to Great Popoe, and to Aghwey, for shipment. Even Domingo Martinez sends the slaves he buys at Porto Novo, on the beach, by lagoon, to those places for embarkation.

It will be for the consideration of Her Majesty's Government whether, in order effectually to put down this vile Traffic, which is producing a state of warfare, confusion, and insecurity in the countries bordering on the Bight of Benin, inimical to the pursuit of legal commerce, and to the agricultural operations of the well-disposed natives, the blockade of the Bight of Benin should not be renewed, exempting from its operation Quittah, the port of Whydah, or rather its roadstead, Lagos, and the Benin rivers.

The effect of the last blockade, I am informed, was most severely felt. It was an exercise of power to which the slave-traders and their supporters had not before been exposed, and against which they found it hopeless to contend.

I have, &c.

(Signed) B. CAMPBELL.

No. 48.

Lord Wodehouse to Consul Campbell.

Sir, *Foreign Office, December* 6, 1853.

I AM directed by the Earl of Clarendon to acknowledge the receipt of your despatch of the 20th of October; and to acquaint you, in reply, that his Lordship has caused an extract of it to be forwarded to the Board of Treasury, with a request that they will communicate to the Commissioners of Customs the suspicious circumstances under which the Jersey schooner "*Deslandes*" had arrived off the coast of Africa; and will desire that measures may be taken in order to prevent unusual shipments of fresh water on board of vessels clearing out from the port of London for ports on the west coast of Africa.

I am, &c.

(Signed) WODEHOUSE.

No. 49.

The Earl of Clarendon to Consul Campbell.

Sir, *Foreign Office, December* 7, 1853.

I HAVE received your despatch of the 28th of October, respecting the state of affairs at Badagry and Porto Novo; and I have to acquaint you that Her Majesty's Government approve the letters which you have addressed to the King of Porto Novo, and to Mayoo, the Chief of Badagry, in order to establish peace and friendly intercourse between those places and Lagos; and for the purpose of warning Mayoo that you are aware of the part that he takes in the Slave Trade.

With reference to your suggestion, that Her Majesty's Government should annul the Anti-Slave Trade Treaty which was concluded by Captain Strange with Mayoo on the 18th of March, 1852, I have to observe to you, that Her Majesty's Government consider that these Treaties are not only binding upon the Chiefs who may have signed them, and who may be, for the time being, in possession of the ruling power in the ports or places where the Treaties are concluded, but the successors of those Chiefs are likewise bound perpetually to observe the engagements therein contained; and if the Chief of Badagry should

violate any of the stipulations of the Treaty of March 1852, it will be the duty of the Commander-in-chief on the West African station to direct that measures of coercion may be adopted in order to enforce the due observance of that Treaty; but unless the ruling Chiefs of Badagry should proceed to hostilities against Her Majesty's forces, Her Majesty's Government would not be justified in declaring the Treaty in question to be null and void.

I am, &c.
(Signed) CLARENDON.

No. 50.

The Earl of Clarendon to Consul Campbell.

Sir, *Foreign Office, December* 8, 1853.

I HAVE received your despatch of the 31st October, reporting the result of an attack which was made upon Jaboo by the Egbas on the 22nd of that month; and I have to inform you that I approve of your having applied to Commander Phillips to proceed with Her Majesty's ship "Polyphemus" to Jaboo in order to render assistance to the Egbas if it should be required.

I am, &c.
(Signed) CLARENDON.

No. 51.

The Earl of Clarendon to Consul Campbell.

Sir, *Foreign Office, December* 14, 1853.

I HAVE received your despatch of the 31st October, stating that the Slave Trade is on the increase in the Bight of Benin, and suggesting the expediency of establishing a blockade of several of the ports along the coast.

I have to acquaint you, in reply, that the Lords of the Admiralty have transmitted a copy of your despatch to Rear-Admiral Bruce, and have instructed him to use every exertion for the suppression of the Slave Trade in the Bight of Benin.

But Her Majesty's Government do not think it necessary to take any further steps until they shall have received a report from Admiral Bruce upon the subject.

I am, &c.
(Signed) CLARENDON.

No. 52.

Mr. Addington to Consul Campbell.

Sir, *Foreign Office, January* 3, 1854.

I AM directed by the Earl of Clarendon to acknowledge the receipt of your despatch of the 13th of September, and to state to you that the suspicious circumstances mentioned in your despatch respecting the Sardinian brig "*Carlotta*" have been communicated to the Commissioners of Customs for their information and guidance.

It appears to Lord Clarendon that the master of the "*Carlotta*" was guilty of a violation of the Treaty between this country and Sardinia in having so large a quantity of water on board his vessel, and that she might have been detained at Lagos.

I am, &c.
(Signed) H. U. ADDINGTON.

No. 53.

Consul Campbell to the Earl of Clarendon.—(*Received January* 9, 1854.)

(Extract.) *Lagos, November* 30, 1853.

I AM happy in being able to report to your Lordship that Docemo, the present King of Lagos, by his firmness, moderation, good sense, and active energy, gives promise of maintaining peace and order at Lagos.

He has difficulties to contend with, the most important being Kosoko's position at Epé, in the Jaboo territory; it enabling him to deprive Lagos of the large amount of trade heretofore coming from the Jaboo country, curtails a considerable source of King Docemo's revenue by diminishing the import of merchandize and the export of palm oil, ivory, &c., on which duties are levied.

The only trade now coming to Lagos is from Abbeokuta and the Egba country, and this has been so harassed on its passage across the lagoon by Kosoko's war canoes, that it has become necessary to convoy the Abbeokuta trading canoes across the lagoon both in coming and returning. This has of late been successfully accomplished principally by King Docemo's war canoes.

No. 54.

The Earl of Clarendon to Consul Campbell.

Sir, *Foreign Office, January* 31, 1854.

WITH reference to my despatch to you of the 3rd instant, on the subject of the Sardinian brig "*Carlotta*" which had arrived at Lagos with an excessive quantity of water on board, I have further to inform you that I transmitted a copy of your despatch of the 13th September, 1853, to Her Majesty's Minister at Turin, with instructions to bring the case of the "*Carlotta*" before the notice of the Sardinian Government, and I now transmit to you a copy of a despatch* which I have received from Mr. Hudson in reply, inclosing a communication which he had received from the Sardinian Minister for Foreign Affairs, stating that the Sardinian Government had caused circulars to be addressed to the proper authorities, instructing them to make known to the masters of Sardinian vessels engaged in vessels employed in trade with the West Coast of Africa, the consequences to which they will expose themselves by taking on board an unusual quantity of fresh water.

I am, &c.
(Signed) CLARENDON.

No. 55.

Consul Campbell to the Earl of Clarendon.—(*Received March* 4, 1854.)

(Extract.) *Consulate, December* 20, 1853.

I REGRET to have to report to your Lordship that on the 10th, and early on the morning of the 11th instant, a large party of Kosoko's war-people captured, within sight of the King's house at Lagos, upwards of 300 Egbas, some coming from, others returning to, Abbeokuta.

As early as the 3rd instant King Docemo received information, which he immediately communicated to me, that Kosoko's canoes were assembled in great force in the creeks near to the villages of Abouey, waiting, it was supposed, to attack a large fleet of Abbeokuta canoes that had lately reached Lagos, laden with provisions, palm oil, &c., when on their return homewards.

* See No. 405.

These canoes not returning so soon as was expected, and Kosoko's war people, supposing when they did so it would be under convoy of the boats of Her Majesty's ships stationed off Lagos, they determined on surprising the large caravans of Egbas which daily proceed by land to and from Abbeokuta, and on the night of Saturday the 10th instant Kosoko's men landed, and lay in ambush about a mile on the road from Lagos to Abbeokuta; here they captured the caravan which arrived from Abbeokuta on the Saturday, as well as the one which had crossed over the lagoon from Lagos, at daylight on the Sunday morning, to proceed to Abbeokuta; in all about 300 men and women: the former were, unfortunately, unarmed, and all had loads on their heads.

This unfortunate event created great alarm and regret at Lagos. The party of fighting Egbas stationed in Lagos crossed over the lagoon as soon as it was known, to rescue if possible their country people, but without success, as Kosoko's party had got off with their extensive capture.

Feeling confident that the communication made to me by King Docemo on the 3rd, and from information I received also on the same day from another source, that Kosoko's canoes were in force on the opposite side of the lagoon bent on mischief, I lost no time in communicating the circumstance to Commander Macdonald, of Her Majesty's ship "Ferret," the senior officer stationed off Lagos; and on the occasion of paying him a visit during the week, I strongly urged him to take advantage of the opportunity, and with the boats of the ships under his orders, either capture or destroy Kosoko's canoes.

Commander Macdonald stated he did not consider himself authorised by the instructions under which he acted to send an expedition of boats up the lagoon for that purpose; he landed however at Lagos on Friday the 9th, and had an interview with King Docemo, who, in reply to Commander Macdonald's inquiries, told him that he had not seen Kosoko's canoes himself, nor had any of his people, but he promised to send out scouts immediately, which he did; and on the following day one of the two scouts returned wounded, stating that they had fallen in with Kosoko's people, that his comrade had been captured, and himself only escaped by overpowering the man who chased and seized him.

Before this information could be acted on Commander Macdonald had sailed on a cruize, with the impression on his mind, from what King Docemo had told him, that there was no truth in the report of Kosoko's canoes being in the neighbourhood, and Kosoko's people succeeded in making the heavy capture of Egba traders.

Since this unfortunate event the Egba captains stationed at Lagos proceeded every second day with a strong escort to about ten miles on the Abbeokuta road, with the traders going to Abbeokuta, and by previous arrangement meet those coming from thence to Lagos, whom they see safe to their destination. As the journey by land between Lagos and Abbeokuta occupies three days, it would appear that there are from 900 to 1,000 people constantly traversing the space between the two places, independent of the canoes which pass by the River Ogun and cross the lagoon to Lagos; these, since Kosoko was lately driven out of Lagos in August last, having been so frequently attacked and captured by his war canoes, now go to and fro in numbers from 200 to 300, and are usually convoyed between Abouey Creek and Lagos, a distance of about seven miles across the lagoon, by the war canoes of Docemo, frequently accompanied by a division of boats from Her Majesty's ships off Lagos.

I thought it proper to address Sagbua and the Chiefs of Abbeokuta a letter of condolence on the unfortunate occurrence to so many of their townspeople, and to submit a proposition to those Chiefs for the better support of their interests here, and the protecton of the Egbas.

I have the honour to inclose for your Lordship's information a copy of my letter to the Abbeokuta Chiefs.

Inclosure in No. 55.

Consul Campbell to Sagbua and the Chiefs of Abbeokuta.

Lagos, December 13, 1853.

HER Britannic Majesty's Consul presents his best respects to Sagbua and the Chiefs of Abbeokuta.

It is with great pain the Consul has to inform Sagbua and the Chiefs that on Sunday morning last a very large force of Kosoko's people seized a number of Egba people, who had crossed over from Lagos to proceed by land to Abbeokuta; and it is greatly feared that they also seized those Egbas who left Otta on Saturday morning last to come to Lagos.

This circumstance has caused the greatest pain to the Consul, to King Docemo, and to all the friends of Abbeokuta at Lagos. The King and the Consul had received information from Abouey several days before that Kosoko's canoes were in great force in the neighbourhood, and that their intention was to cut off the Egba canoes that were about to return home. The Consul therefore prepared to have a strong convoy of the Queen's man-of-war boats to see them safe, and their departure was delayed till the fleet of canoes which were to leave Abbeokuta yesterday, Monday, the 12th instant, should arrive at Abouey, when the convoy of war boats would answer for both the canoes returning from and those going to Lagos. During the interval, Kosoko's canoes hid themselves in the night close to Aboota-Mata, and the war people lying in ambush on its road fell upon and seized the Egbas. Immediately it was known, Ogoodeepa crossed over and endeavoured to recapture the Egbas, but was too late.

There is great reason to fear that Achambong, and one or two more of King Docemo's Chiefs, behaved very ill in this business, and were in league with Kosoko's people.

The Consul has long wished, and he hoped to have been able, in a visit to Abbeokuta, to do so personally, to point out to Sagbua and the Chiefs of Abbeokuta how necessary it is for them to have a good head-man from among themselves to live at Lagos, and to assist the King and take care of the Egbas who live there, and of those who come to trade.

The head-man should have at least 100 to 150 good trusty soldiers with him, whom he can depend on.

The Consul is sorry to say that he finds most of what are called Lagos people are a treacherous, deceitful, and mischievous set, and not to be trusted; they are addicted to drunkenness, indolence, and all the vices and bad habits arising from the Slave Trade, and from their association with the vile white people who have lived for years in Lagos to carry on that trade.

It is hardly necessary for the Consul to point out to the Chiefs and people of Abbeokuta how desirable it is for their own most vital interest to assist in keeping Lagos as their port of trade, which it will never be if Kosoko comes into power again at Lagos.

At the present time the trade from Abbeokuta, although giving great promise, is comparatively small; but in the course of a few years, if it should please God's Providence to crown with success the great efforts made by England to exterminate the Slave Trade in the Bight of Benin and elsewhere, the commerce of Abbeokuta and the countries around will be very great. How useful, then, will they find the port of Lagos, the River Ogun carrying down all their heavy produce to a port near the sea, and bringing back other merchandize in return; also, if mischievous enemies should threaten to attack and break Abbeokuta, arms, ammunition, and even heavy artillery, can be transported by the same river close to their town, to assist the Egbas in driving away their enemies.

The Consul therefore begs Sagbua and all the good Chiefs and people of Abbeokuta to take seriously into consideration what he has suggested to them; and the Consul assures the Chiefs that, should they send a respectable head-man to stay in Lagos, with a sufficient force, that he shall receive all the aid and help it is in the Consul's power to afford him.

The Consul offers his sincere condolence to Sagbua and the Chiefs, and to the families and relatives of those Egbas who have unfortunately fallen into Kosoko's power.

No. 56.

Consul Campbell to the Earl of Clarendon.—(*Received March* 4, 1854.)

My Lord, *Lagos, December* 28, 1853.

FORMING part of the population of this town, are some 130 families of self-emancipated Africans from the Brazils; formerly shipped as slaves from this part of the coast, who, having had the good fortune to escape being sent to the mines, or the plantations in the Brazils, were enabled by their industry, frugality, and good conduct to purchase their own freedom, and that of their wives and children. They are all from Yoruba originally, and mostly from the province of Egba.

During Kosoko's reign, these people on their arrival at Lagos were plundered by him; and in some instances, when attempting to evade or resist his forcible extortions, they were unmercifully butchered.

They appear to have lived here without any one to protect them; and the fruits of their industry, even their children, have been the prey of any petty despot who chose to plunder them.

Shortly after the expulsion of Kosoko in August last, a deputation of the leading men amongst them waited on me, and laid before me the extreme painfulness of their position, their children being torn from them and sold into slavery; and the spoliation of any little property acquired by their industry.

Having been assured that they are an industrious and well conducted people, I did not hesitate to promise them that for the future they should receive from me all the protection which the influence of my position enabled me to exercise, on the following conditions:

1. That they should regard Akitoye as the rightful King of Lagos.
2. That they should abandon all connection with slave-traders, and abstain from Slave Trade.
3. That they should give in, to be registered at this Consulate, a list of the names of all the heads of families, which they have since done.
4. That they should send their children to the Missionary Schools for instruction, and to learn our Anti-Slave Trade language.

They consented to observe faithfully these conditions; and I have since in several instances shielded them from the wrongs and oppressions attempted against them.

I venture to hope that your Lordship will approve of my affording protection to this ill-used portion of the community of Lagos.

I have, &c.
(Signed) B. CAMPBELL.

No. 57.

Consul Campbell to the Earl of Clarendon.—(*Received March* 4.)

My Lord, *Lagos, January* 29, 1854.

FOR a month past I have been suffering from repeated attacks of fever, and the debility which succeeds such attacks.

I have nevertheless been actively employed in endeavouring to bring about a pacification between the King and Chiefs of Lagos, and the Caboceers who accompanied Kosoko to Epé; and to bring over these latter to their allegiance to the present King Docemo.

With this object in view, which met the entire approbation of the Commander-in-chief, I proceeded on the 7th instant to the port of Jaboo, in Her Majesty's steam-vessel "Pluto," under the command of Lieutenant Norman Bedingfeld, in order to have an interview with Tappa, Kosoko's faithful Caboo-

ceer, who, on being sent for, immediately came from Epé to meet me; but as I was too unwell to land through the surf, Lieutenant Bedingfeld landed, and had an interview with Tappa.

I should here state to your Lordship that this officer, while in command of Her Majesty's steam-vessel "Jackal," in February 1852, landed at this place, and proceeded to Epé, where he spent two or three days in friendly communication with Tappa, returning to Lagos in a canoe by the lagoon; and that on this visit he seems to have gained the confidence of Tappa, who now sincerely welcomed him, Tappa expressing a wish that I should visit Epé, in order that I might state my views fully to the other Cabooceers and to Kosoko: the Commander-in-chief approving of my doing so, kindly allowed Lieutenant Bedingfeld and Mr. Wilson, the Assistant-Surgeon of the "Pluto," to accompany me. We remained there three days, and returned satisfied with the result of our visit.

The Cabooceers of Epé having expressed a wish to meet those of Lagos, in some spot equidistant between the towns, in order to hold a conference on their differences, I, with some difficulty, prevailed on King Docemo to send some of his Cabooceers; and I left this with the Lagos Cabooceers on the 27th instant, accompanied by Lieutenant Bedingfeld, the Assistant-Surgeon, Mr. Wilson, and the "Pluto's" paddle-box boats, armed. I also invited Dr. Irving and the merchants to accompany me, to show the people of Epé the pacific nature of our views. The interview between the two sets of Cabooceers took place on a small uninhabited island in the middle of the lagoon, and went off very satisfactorily at the termination. We returned to Lagos during the last night.

By the next mail I will forward your Lordship a full report of my proceedings. It was very desirable to follow up this opening for a pacification while the Commander-in-chief was off Lagos, or in its neighbourhood, with a considerable force; and the able and cheerful assistance I received from Lieutenant Bedingfeld enabled me to get through the fatigue and irksomeness of native palavers; without it, my weak state of health would have prevented me from taking advantage of the Commander-in-chief's presence. I have every reason to hope that my efforts to bring about a pacification, and to regain the Cabooceers at Epé to their allegiance to their lawful King, will be crowned with success. In the meantime, the navigation of the lagoon is free from the marauding attacks of the numerous well-equipped war-canoes of Kosoko and his Cabooceers. Some of the markets on the Jaboo shore are thrown open, the beneficial effects of which are already felt in an increased commerce, and a fall of 30 per cent. in the necessaries of life—a matter of great consideration to the large and poor population of Lagos.

I have, &c.
(Signed) B. CAMPBELL.

No. 58.

The Earl of Clarendon to Consul Campbell.

Sir, *Foreign Office, March 7*, 1854.

I HAVE received your despatch of the 20th of December, 1853, reporting that Kosoko's soldiers captured near Lagos, on the 11th of that month, upwards of 300 Egba men and women, who were peaceably trading between Abbeokuta and Lagos.

Your despatch also transmits a copy of a letter which you addressed on the 13th of December, to Sagbua and the Chiefs of Abbeokuta, recommending them to send a headman and an armed force to reside at Lagos for the protection of their trading countrymen.

I have to acquaint you that Her Majesty's Government entirely approve of your having given this advice to the Chiefs of Abbeokuta; and if the captured Egbas should not have regained their liberty before you receive this despatch, you will use your best endeavours to obtain the release of any of them who may still remain in the hands of Kosoko's people.

I am, &c.
(Signed) CLARENDON.

No. 59.

The Earl of Clarendon to Consul Campbell.

Sir, *Foreign Office, March* 8, 1854.

I HAVE received your despatch of the 28th of December, 1853, and I have to acquaint you that Her Majesty's Government entirely approve of your having promised, under certain conditions, to afford your protection to those Africans, who having purchased their emancipation from slavery in Brazil, have settled at Lagos, and who, as appears by your despatch, have been oppressed and plundered by the former Chiefs of that island.

I am, &c
(Signed) CLARENDON.

No. 60.

The Earl of Clarendon to Consul Campbell.

Sir, *Foreign Office, March* 9, 1854.

I HAVE received your despatch of the 29th of January, reporting the proceedings of yourself and Lieutenant Bedingfeld when you met the Chiefs belonging to Kosoko on the 7th and 27th of January, for the purpose of negotiating a peace between them and the King and Chiefs of Lagos; and I have to acquaint you that Her Majesty's Government entirely approve your proceedings in this transaction, and that they are happy to learn that you are able to state that these negotiations have terminated satisfactorily.

I have, &c.
(Signed) CLARENDON.

AFRICA. (*Consular*)—*Bight of Biafra.*

No. 61.

Consul Beecroft to the Earl of Malmesbury.—(*Received April* 14.)

My Lord, *Clarence, Fernando Po, February* 4, 1853.

I HAVE the honour to communicate that, in compliance with your Lordship's instructions of September 13th, that Mr. Vice-Consul Fraser should be transferred from Whydah to Lagos, I landed at that place on the 15th November last, accompanied by Commander Heseltine, of Her Majesty's brig "Britomart," Commander White, of Her Majesty's ship "Cygnet," Lieutenant Stirling, of Her Majesty's steamer "Penelope," and Mr. Vice-Consul Fraser.

King Akitoye received us with every demonstration of joy and gladness. I introduced Mr. Vice-Consul Fraser to himself and his Chiefs, and informed him that Her Majesty's Government had been pleased to direct me to transfer Mr. Vice-Consul Fraser from Whydah to Lagos; and requested him to allow the Vice-Consul to occupy his (King Akitoye's) mansion until he could erect one for himself, to which he acquiesced with great pleasure. I told him I should return as early as possible, to install the Vice-Consul in a formal manner; and, as far as my judgment would allow, adjust all matters relative to legitimate trade and commerce.

I beg to refer your Lordship to the accompanying journal, for the details of my proceedings at Lagos, and the different rivers in the Bights of Benin and Biafra.

I am, &c.
(Signed) JOHN BEECROFT.

Inclosure 1 in No. 61.

Consul Beecroft to the Earl of Malmesbury.

(Extract.) *Clarence, Fernando Po, February* 4, 1853.

I HAVE the honour to communicate, for the information of your Lordship, that I embarked on board Her Majesty's steamer "Penelope," Admiral Bruce, on the 11th November, and proceeded to Lagos, and anchored off that place on the 13th instant, where we found Her Majesty's steamer "Prometheus," and Her Majesty's brig "Britomart;" on board of the latter was Mr. Vice-Consul Fraser, on his way back to Fernando Po, after his visit to Whydah.

On the 15th, in compliance with your Lordship's directions of September 13th, that Mr. Vice-Consul Fraser should be transferred from Whydah to Lagos, I went on shore, accompanied by Commander Heseltine, of Her Majesty's brig "Britomart," Commander White, of "Cygnet," Lieutenant Stirling, of Her Majesty's steamer "Penelope," and Mr. Vice-Consul Fraser. We landed at 9 o'clock, at Mr. Gollmer's mansion, and took breakfast; before it was over, King Akitoye made his appearance by water, with a procession of fifty or sixty canoes, with every demonstration of joy and gladness; he took some refreshment. I

then embarked in Commander Heseltine's gig; King Akitoye in his large canoe; with banners flying and firing of guns, the procession proceeded, and we followed with the boats. Tom-toms playing, we arrived off the King's mansion at noon. King Akitoye and chiefs landed; we followed, and were received with acclamations of joy and respect; a quarter of an hour elapsed, when the clamour and noise subsided. His chiefs and council seated, I rose, and introduced Mr. Fraser to the King and Chiefs; and stated that Her Britannic Majesty's Government had been pleased to direct me to transfer Mr. Vice-Consul Fraser from Whydah to Lagos, and it was pleasing to me to be an eye-witness to the cordial and warm-hearted reception given to Her Majesty's Representative by himself and Chiefs, &c.

I also stated that Her Majesty's Government would be pleased to learn that he had strictly adhered to the 5th Article of the Treaty signed by him on the 1st of January, 1852, on board Her Majesty's steamer "Penelope," by expelling all the Brazilian and Portuguese slave-dealers, with the exception of two or three who were permitted to remain. After which King Akitoye, Pellew, Agineah, and other Chiefs too numerous to mention, returned their most grateful thanks to me for the kind protection I had afforded Akitoye for nearly a year, and also to Her Majesty's Government for restoring him once more to his rightful throne.

I told him that he might rest assured that as long as he strictly adhered to all the Articles of the Treaty, and did not deviate from the right path, Her Majesty's Government would not fail to afford him all the necessary protection against any inroads that Kosoko may attempt, to disturb the peace and tranquillity of his people, in the territory under his rule and guidance.

I then requested him to allow Mr. Vice-Consul Fraser permission to occupy his mansion until he could erect one for himself, as he did not intend to live in it, to which he acquiesced with great pleasure.

I then acquainted him that my stay must be short, as I had a deal of work before me in the Bights, and that I was particularly anxious to be at Fernando Po when the first mail-steamer arrived. Mr. Vice-Consul Fraser would also have to return to Fernando Po for a few days, to collect all belonging to him there, and return to Lagos as soon as possible; and that I would return as early as possible, in the January or February mail, to install Mr. Vice-Consul Fraser in a formal manner; and, as far as within the limits of my judgment, adjust all matters relative to legitimate trade and commerce; redress those petty grievances which had crept in since his enthronement; and endeavour to redress any other grievance which there might be to complain of.

We then took our leave. King Akitoye accompanied us in the "Britomart's" gig—several other Chiefs in his large canoe—to the mouth of the river; took a cordial leave of us, and returned in his canoe. Arrived alongside Her Majesty's steamer "Penelope," at 4·30.

Admiral Bruce was much gratified when my reception was communicated to him; it was shortly after arranged by Admiral Bruce, as Her Majesty's brig "Britomart" was in want of water, she should proceed to Fernando Po with Mr. Fraser, and return by the same vessel; and that I was to have the use of Her Majesty's steamer "Myrmidon," Commander Jolliffe, to visit the different rivers in the Bights of Benin and Biafra. Her Majesty's brig "Britomart" sailed same day at 4 P.M.

I embarked on board Her Majesty's steamer "Myrmidon" on the 17th at 10·30 A.M. I took my leave of Admiral Bruce, &c., visited Her Majesty's steamer "Prometheus;" Commander Foote, accompanied me on board the "Myrmidon." I am proud to state she is a perfect man-of-war; I was astonished at her perfection, cleanliness, and yacht-like appearance.

Weighed at 1 P.M., and proceeded under steam and all sail next morning at 8 o'clock. River Benin in sight; anchored, and sent a gig and five Kroumen, gunner in charge, for a pilot. 2 P.M. saw a schooner and the gig coming across the bar; weighed, and ran to the southward until N. W. head [illegible] by E. ½ E., anchored in 3½ fathoms. 5 P.M. the schooner passed outside of us; sent a boat to visit her. Shortly after Mr. Cheetham, agent for Messrs. Horsfall and Sons, in that river, left the schooner, and joined "Myrmidon," accompanied by Captain Tozy. The "Myrmidon's" boat returned, and reported the schooner to be the "Cosmopolite," from Liverpool, bound to Fernando Po; received letters, &c., from England.

19th.—At 9·30 A.M. proceeded; Captain Tozy in charge as pilot; crossed the bar, the least water 2 fathoms, and anchored in the river at 11 o'clock. 2 P.M. the Governor of the river waited on me; his visit was short; not being prepared for such, he promised to call next day, in a formal way; sent messages to Baa-terrie and Warree, requesting the Chiefs of both places to make their appearance on board Her Majesty's steamer "Myrmidon."

20th.—9·30. Two Chiefs from Baa-terrie, named Abrimoney and Abellajaa, made their appearance in two large canoes, with banners flying, making a great clamour; when they came alongside with their rude country music the Chiefs were kindly received. I shall not enter into detail relative to their costume; they expressed great joy, seeing me in perfect health; they were anxious to see the engine-room, &c. Commander Jolliffe very kindly accompanied them, after which they retired to the after-cabin; I then reminded them that on my last visit in March 1851, when the village of Boobee was burnt, for the plunderous outrage committed on the store where Messrs. Horsfalls and Sons' goods were deposited, whilst I was in the "Jackall" at Warree, I could not see either of them. Abrimoney stated that he was sick, and not at Baa-terrie; and the other was afraid to visit Her Majesty's steamer "Jackall," after our return from Warree. I told them it was satisfactory to know they were not mixed up in it. They took a glass of wine, and took their leave. I told them that I intended to visit Baa-terrie. They said they would be glad to see me.

I left a short time afterwards, accompanied by Commander Jolliffe, and proceeded. After a three miles' pull, entered a mangrove creek, and went up about two miles, when we landed at Baa-terrie, and were very hospitably received and entertained for a short time. It was not an enticing place to remain a long time in. I was merely anxious to make myself acquainted with its situation and the width of the creek. They were anxious to regale us with wine and porter, but we declined. There were a host of retainers looking at us. It being 4 o'clock, we took our leave, and proceeded down the pestiferous narrow creek, and arrived on board at 5 o'clock. Weather dry and fine.

21st.—A messenger came on board from the Chief of Boobee, named Choo-waa-nee, stating that his master had a great desire to see my face on shore. I told him to tell his master that I could not visit him until he had first called upon me, and endeavour to arrange matters relative to his calamitous affair in March 1851; that he was the promoter and instigator of the whole affair. Of course he was afraid. The messenger returned with that answer. Near the steamer, was a large canoe at anchor, with banners flying, offering sacrifices of goats and rams to the river god, for the recovery of the Chief of Jacquateraa, from a severe malady. After lying there for several hours, to fulfil their superstitious country custom, they came alongside. The Chief came on board to pay his respects; he was painted, and fantastically dressed. I told him I was going to Jacqua to call on the Governor.

I left in "Myrmidon's" gig, accompanied by Commander Jolliffe; Mr. Cheetham and Captain Tozy followed in their own boat—the Jacquateraa Chief accompanied us also. Halfway up the creek we met the Governor, coming in a large canoe; he returned and landed at his village at the same time, and went to his mud mansion; he said he was going on board to pay his respects, as he had promised the day we arrived.

I told him that I had sent to Warree for all the late King's sons to come down and settle the palaver relative to whom they had chosen amongst them to be Chief over the kingdom of Warree; but I was in doubt they would not come before I would be obliged to leave, for the distance is 100 miles. I am certain it will take them fully a week preparing a very large canoe, &c. The Governor replied, "ten days." I said, that I should leave in two days if they did not arrive. At the same time the Jacquateraa Chief came in and preferred a charge against the late Mr. Day, agent for Messrs. Harrison and Co., Liverpool, drowned some months ago, on the bar, by the boat he was in capsizing, relative to one of his slaves being flogged for stealing, and died some time afterwards. The Governor told him that it was settled when the affair happened, about two years and a half ago. I replied, and told the Chief that it was not reported to me when I was here in March and April 1851, when Mr. Day was alive. The Goveronr, Jerry, again stated, that he had settled that palaver. Mr. Day paid

guns and cloth, but the Chief did not appear to be satisfied with the remuneration. I told him that I could not enter further on the matter, being so long ago, and the party defunct.

I took leave of Jerry, and visited his brother Jebuffaa. On entering the yard, the mud-walls had in a great many places the mark of a man's hand with blood. I said, "What have you been about here?" He replied, "Making 'jew-jew,' by sacrificing goats, and dipping our hands in the blood, and making an artificial hand on the wall, round the interior of the house." He was very gay on this occasion, dressed in a rich wrapper, and overwhelmed with coral—neck, arms, and legs. I looked at him very seriously, and said, "I trust you have not been making human sacrifices instead of the blood of bulls and goats." Jerry was present, and they both made a loud exclamation in their country language, and then said, in English, "We can't do them bad things for this country." "Well, I hope not," was my reply.

I could not glean from them the cause of the sacrifices, only it is country fashion sometimes to do so, to appease their "jew-jew." We took our leave; they accompanied us to the boat. We crossed the creek to another village, situated in a mangrove swamp, and visited two or three of the principals, good traders and honest, but live in an abject state in the midst of mud and mangrove, and hosts of mosquitoes. Took our leave, and returned on board.

22nd.—Early this morning, about 7 o'clock, Abrimoney from Baa-terrie, came in a very large canoe, manned with forty paddles, accompanied by Mr. Cheetham. I held a short conference with him relative to the propriety of his sending a messenger to Choo-waa-nee, inviting him on board, or to send one of his confidential principals, to hear and learn what I have to state, relative to the 2,000*l.* worth plundered from a store on his side of the river, belonging to Messrs. Horsfall and Sons, Liverpool, in March and April, 1851, he having made himself responsible, from being sole promoter, and ordered his slaves, with others, to commit the outrage. He must be aware that it is utterly impossible for me to visit him first. At my request, Abrimoney sent a messenger, and then took his leave. I had previously made him aware that it was my intention to leave in the afternoon about 2 o'clock, as the tide would answer, for there was no likelihood of the late King's sons showing themselves from Warree for a week, so the matter must be deferred until my next visit. He repaired on board of the hulk "Skimmer," to transact business. He promised to be back to "Myrmidon" about noon. At the appointed time he returned, accompanied by Mr. Cheetham, and the messenger from Choo-waa-nee, stating, that he was sadly afraid to come on board. He left it solely in the hands of Abrimoney and myself, and offered to pay twenty puncheons of oil in the next two months, drew out a written statement for Mr. Cheetham, signed by Abrimoney and Choo-waa-nee's messenger, and witnessed by myself. I told the messenger to communicate to his master, that if he fulfilled this arrangement proposed by himself, he would be allowed a longer period to liquidate the remainder, and by small instalments.

I handed the document to Mr. Cheetham, the representative of Messrs. Horsfall and Sons. Steam being up, Abrimoney took his leave, begging me to return soon. Captain Tozy came on board from the hulk "Marquis," belonging to Messrs. Harrison and Co. of Liverpool. Weighed at once and proceeded; crossed the bar at two and a quarter less two fifths.

3·30.—Captain Tozy and Mr. Cheetham left again for the river.

Midnight.—Fine weather. Rate, five knots. Course, S. $\frac{1}{2}$ W. to S. by E.

23rd.—Daylight; abreast of the River Middleton.

Noon.—Passed Seguana.

1·30.—Off the Nunn.

3 P.M.—Anchored off the River Rio Bento, in 5 fathoms. Hoisted a signal and fired a gun for a pilot. A barque and hulk in sight, hoisted their colours.

5 P.M.—Barque under weigh.

6 o'clock—She anchored again no pilot.

Midnight.—Fine, light breezes.

24th.—Daylight, calm.

8·30.—Sent in second gig, in charge of gunner and six Kroomen.

2 o'clock.—Saw the gig returning; weighed, and ran along the edge of the breakers. Anchored in 4 fathoms until the gig joined us, with John Brown, pilot, and his "pull away, boy."

2·30.—Weighed, and proceeded across the bar, in $2\frac{3}{4}$ fathoms. Anchored at 4 P.M. in 6 fathoms. Barque "Adrian," ready for sea. Mr. McLoskey, resident agent for Messrs. Horsfall and Sons, and Mr. Jackson, resident agent for Messrs. Stuart and Douglas, both of Liverpool, came on board to pay their respects. I rebuked them for not sending off a pilot, as they heard the gun and saw the signal. Mr. McLoskey was anxious to send John Brown, shortly after we anchored, but he would not move; he said it was a man-of-war, and afraid. "Suppose he knew Beecroft is on board, he would go," but he must wait for a boat. I inquired if the Chiefs were down from Brass Town. They said one was absent. I requested them to send a messenger for the absentee. They took their leave at sunset. Mr. McLoskey to the hulk, "City of Rochester," and Mr. Jackson to his residence on the beach.

25th.—10 o'clock A.M. I went on board of the "City of Rochester," accompanied by Commander Jolliffe, to return Mr. McLoskey's visit; found him indisposed. Remained some time talking over matters relative to the state of the river and trade. Mr. McLoskey said he would arrange that King Peter and Kayaa should be on board of the hulk at 5 o'clock. We took our leave and proceeded up the river to Mr. Jackson's factory, on the beach; his domicile is bamboo and mats, sleepers laid, and a pine flooring. He has cleared a good deal of the bush and made a sandy desert, a cooper's shed, and another for starting oil into, in bulk, by digging a pit similar to those in a tanner's yard, a powder magazine and a small store for goods. He must be overwhelmed with mosquitoes. A Dr. McCaul is living on shore with him; also two young Accra lads.

26th.—The "Adrian," early in the morning, being spring tides, dropped down to the bar, and crossed it the afternoon tide. Had she missed the high tides she would have been detained a fortnight until the next. After breakfast Commander Jolliffe accompanied me in his gig to Twaah, where all the big men of Brass Town stay when down with a quantity of oil for sale. We proceeded up a pestiferous, muddy, mangrove creek for half a mile with King Peter in the boat, he having joined us at the entrance. Landed at a filthy desolate village; it had a week before our arrival been destroyed by fire. After a few minutes Kayaa made his appearance: they were all occupied in building it up again. Saw the remains of a deck-house about four feet from the ground belonging to Mr. McLoskey, which was in a dilapidated condition. Kayaa accompanied us, and held a short conference relative to coming on board. He said he would not go afloat until Amangee made his appearance from Brass Town. The reason was, that they had not any confidence in each other's integrity. He said that he had sent his canoe, and they would be down next day, Saturday.

We took our leave, and glad to get out of such a pest-house. We left King Peter: it was a relief to get into the river, clear of the creek.

27th.—After breakfast visited Mr. McLoskey, and was glad to find him something better. Returned on board to dinner. Pilot returned from "Adrian" at sunset.

Sunday, 28th.—8·30, Mr. McLoskey sent to state that the Chiefs had arrived from Brass, and requested us to meet them in Mr. Jackson's cask-house. I sent back to tell Kayaa and Amangee that I should expect them at 11 o'clock on board of the "City of Rochester." A short time after service Mr. McLoskey's doctor came and announced the arrival of the Chiefs on board of the "City of Rochester," and also that King Peter went up to Brass last night, without giving any reason for such conduct. Commander Jolliffe accompanied me on board, when we met the Chiefs. When they got on board they were much astonished, and looked round them with perfect amazement and fear, she being the first man-of-war that had honoured that river with a visit. It was some time before they could be persuaded to visit the engine-room; at last Amangee was induced to go down for a few minutes, and returned on deck awfully astonished. They went below to the cabin, and took a glass of wine, and took their leave. John Brown, the pilot, was there. I gave him strict injunctions to be on board early in the morning.

At parting I told the Chiefs that I hoped to be there before the rainy season set in, to get the Treaty and customs sensibly arranged, to prevent any more broils and squabbles; not any more paying customs' dues by the number of ships' masts: accordingly, a one-masted vessel value of one puncheon of oil, a brig two, and a barque or ship three. They replied next visit they would settle all these matters. They hoped I would not be longer than three months. I told them that I should visit them again as soon as I could get a conveyance after January. So we parted. Night cool and pleasant.

29th.—Daylight, hove short.

7 o'clock.—John Brown came on board. His canoe proceeded to the bar, to be ready to receive him after crossing. Weighed immediately, and proceeded at 8·30 across. Soundings $2\frac{3}{4}$ and $2\frac{1}{2}$ fathoms. Passed the several rivers: at 3·30 bore up for Grand Bonny, and anchored off the town at 5·15. Found only six vessels. Barque "Adventure" ready for sea. The masters and supercargo of the different vessels called to pay their respects. I inquired if there were any other matters of consequence beyond what they had already communicated? They informed me that there were a few grievances which required my investigation. I requested them to accompany me and Commander Jolliffe next morning at 10 o'clock to visit King Pepple. At the same time I desired the senior master, Mr. Robert Wylie, to send a message and announce the same to the King. They then took their leave, and returned to their respective vessels.

30th.—Daylight, a shower of rain.

9·20.—Received a note from King Pepple, requesting me to excuse him not appearing at a public conference, being indisposed. He did not wish to be present at a meeting of his Chiefs, not being able to speak as he wished.

9·30.—The masters and supercargoes came on board.

10 o'clock.—We pushed off from Her Majesty's ship "Myrmidon" and pulled on shore in procession up a creek to the King's mansion, made of mud. It was some time before the King would show himself; at last he came out dressed in a toga: he was better than I expected after his paralytic stroke. Shortly after the attack he requested the masters and supercargoes of the various vessels to call a meeting of his Chiefs to appoint two competent persons as guardians during his imbecile state, and to administer the government in his name as Regents; two of his household were chosen, particularly at his own request, named Yaniboo and Ishaca, principal members of his household; some of his Chiefs anticipating the matter, took umbrage at the choice and did not obey the mandate given in the name of the King: this was the bone of contention. They were appointed at last at a full meeting of the masters and supercargoes and part of his Chiefs, a short time after he had the stroke of paralysis.

After the Chiefs had assembled I read the various complaints, and explained them as I proceeded, particularly the pilot, Omnee Brown, and the maltreatment of Kroo boys cutting firewood. I requested that those two parties should be sent on board of Her Majesty's steamer "Myrmidon" next day.

The two men Yaniboo and Ishaca were present.

I then intimated to the Chiefs assembled that it was their bounden duty to attend to the wishes of the two Regents, as they would now be formally appointed during the King's pleasure, or as long as he continues indisposed. After all the matters were discussed he took a glass of wine; after which we took our leave.

3 P.M.—A messenger arrived from New Calabar requesting my attendance there relative to some grievances existing between parties and Amacree: it was arranged that Commander Jolliffe and myself should leave for New Calabar early on Thursday morning the 2nd of December. Sent a canoe across for a pilot from Fouchee, situated at the entrance of the river of New Calabar.

Thursday, December 2nd.—Daylight, showers of rain.

7·30.—Masters and supercargoes came on board; weighed, and proceeded with two pilots, Jack Fisher and Thomas Dixon. Crossing the flats had casts of the lead, $\frac{1}{4}$ less 2, $2\frac{1}{2}$, $2\frac{3}{4}$ fathoms.

Noon.—Passed Young Town; stopped the engines to allow the masters and supercargoes to join us. There are two hulks here: "Adonis," belonging to Messrs. Horsfall and Sons; "Heroine," belonging to Messrs. Stuart and Douglas.

Barque "Athena" and barque "Sarah Horne" anchored off the creek at New Calabar at 1 P.M. Sent a messenger to King Amacree requesting him to have all his Chiefs, &c., present; he came off himself to deliver his own message and returned back immediately after taking a glass of wine. I followed, accompanied by Commander Jolliffe and all the masters and supercargoes of the two rivers. Amacree and all his Chiefs were all assembled by the time we got there. I then stood up and read aloud the Commercial Treaty, and strongly enjoined them to be cautious and beware to keep aloof from the fines.

Captain Birkett made a complaint against the King relative to salt, and stated that the King had not kept his word. I asked Captain Birkett if he had got it in writing; he answered in the negative. I told him that he ought to have had it in black and white with any of these Chiefs. Amacree complained that he could not get the salt when sent for, and that some part of it had been given to other parties, although it was a verbal agreement that Amacree was to take it all for so much oil; it then fell to the ground.

Captain Thompson, agent for Messrs. Horsfall and Sons in the Bonny and New Calabar rivers, stated that Amacree had broken the Treaty, for not opening the hulk "Adonis's" trade; although the comey was paid, he demanded the custom bars, 480 of which were paid: the latter is optional according to the Treaty, the same as Bonny. I rebuked him for his folly, and stated that it was too obvious he had a desire to make himself offensive. I had known him a number of years, always the same; very good when I am present, but as soon as my back is turned, he is the first to set a bad example. I told him that he ought to be fined the full penalty of twenty puncheons of palm oil; he endeavoured to exculpate himself; I told him he must not throw sand in my eyes, that he was guilty of extortion, stopping a vessel's trade for six days; then he would not allow her trade to be open until he got what he unjustly exacted. I told him it was for my consideration relative to the amount of the fine; on my next visit I should be guided by his future conduct. A tornado was coming on, so we took our leave. He followed and asked me in a whisper if his presents had come. I made no reply, and we made the best of our way to the boats and put off, in the beginning of it. We got well drenched before we reached the "Myrmidon;" shortly afterwards it cleared away. Weighed and proceeded down the river, and anchored at sunset, near the shipping in the centre of the river. Midnight, cool. No mosquitoes.

Friday, 3rd.—Daylight, strong land wind, with any quantity of mirage. After breakfast, weighed and proceeded; when as far down as Fouchée, saw a vessel at anchor off the bar, and a full-rigged ship anchored off Grand Bonny; at 1 P.M. a fresh sea breeze. After dinner I went on shore to visit the King; the masters and supercargoes rejoined me afterwards. I remained with him half-an-hour, talking over different matters relative to trade, refreshing his memory at the same time that Chiefs ought to keep their word; telling him that he had broken faith me with relative to a debt owing to Duncan Gibb, a Liverpool merchant. He signed a document with me last year to pay the supercargo of the "Douce Davie;" he said, "It is time; I am sorry, and shall be paid to the first vessel of his coming here." I told him trust is a great evil, it is an abomination. I will endeavour with all my might to put an end to it. He acknowledged it to be bad. I said, It is the source of all the broils, disputes, and quarrels; you ought to put your shoulder to the wheel and finish it. He wished me to take a glass of wine with him; I did so. He again mentioned the presents; I told him that I was certain that they would arrive by the first mail. It was getting late, I took my leave and returned on board. The vessels outside had arrived; they were the ship "Pomona," and "Swiftsure," brigantine. On my way down the creek, I met the boats coming to join me at the King's; of course they returned. I repaired on board. Captain Curran, master of the "Pomona," called, but unfortunately without a single letter.

Midnight.—Fine weather.

4th.—Commander Jolliffe kindly took hold of the "Adventure" and towed her across Bonny Bar; cast her off at 11 o'clock. A light S.W. breeze. "Myrmidon" proceeded direct for Fernando Po; rate seven knots.

8 P.M.—Reduced the speed to three and a half.

Midnight.—Dull cloudy weather, accompanied by lightning and thunder.

Sunday, 5th.— A.M.—Rain with squalls, accompanied by lightning and thunder. Daylight, rain; abreast of Point Kelly.

8·30.—Passed Point Bullen, anchored in Clarence Cove at 9·30 A.M.; found Her Majesty's steamers "Alecto" and "Prometheus," and a merchant vessel the "Princess Royal," from Old Calabar, bound to Liverpool, laden with palm oil.

Midnight.—Cool pleasant weather.

Thursday, 9th.—Her Majesty's steamer "Myrmidon" having cleared the port side of large shells as big as a common tumbler, and completed coaling, I embarked at 8 o'clock P.M. Weighed and proceeded for Old Calabar.

Midnight.—Rate, five knots; course, north half west.

Friday, 10th.—Daylight, hazy weather; sounded seven fathoms; made East Head, the easternmost land at the mouth of the river.

3 o'clock.—Passed Parrot Island, and anchored off Duke's Town. At 4·30 P.M. the captains and supercargoes called to pay their respects; reported the river very unhealthy.

5 o'clock.—Commander Jolliffe accompanied me on shore; walked up to the Mission-house, met Mr. and Mrs. Anderson, in good health—they belong to the Scotch Church; whilst there, Dr. Birch, of barque "Victoria," handed me a letter from Captain Calvert, reporting his vessel ready for sea, his crew, with the exception of two, all down with fever, requesting my aid from Her Majesty's steamer "Myrmidon." I sent a reply by the Doctor, stating that I would visit him next day; at the same time stating that it was not possible, and he need not expect any assistance from "Myrmidon" in the shape of men.

7·30.—Returned from Mission-house and went on board; evening cool and pleasant.

Saturday, 11th.—Daylight, cool land winds, but thick. After breakfast, Commander Jolliffe accompanied me in his gig down the river six miles to the "Victoria," to visit Captain Calvert; found him indisposed. Mrs. Calvert well but weak, having just recovered from a severe attack of fever. He was naturally irritable; he complained of the state of his crew and himself, but could not persuade him of the necessity of removing his ship from that position as early as possible. The brig "Banshee" is up the river off Duke's Town; she somewhat perplexes him; he is anxious to get her off before he leaves. I persuaded him to leave his oil in charge, proceed to Fernando Po, and there charter a small vessel to come for it. He said he must consider over the matter and write me to-morrow. We took our leave and returned to "Myrmidon." After dinner, accompanied by Commander Jolliffe, proceeded to Creek Town in his gig; it is a distance of six miles, one-third of the distance up a creek. Landed at 4 o'clock and waited on King Eyo. He was glad to see us. He has a respectable mansion and lives in a superior style to the generality of African Chiefs along the coast. As we arrived late our time was short with him. We walked up to the Mission-house, a short distance above his residence; passed a small iron church on our way. Waited on Mr. and Mrs. Gouldie, and was kindly received; they have a number of scholars here, above 100, several of whom can write and read very well. Our stay was short. We took our leave and returned to the King's, and took our leave and arrived alongside at sunset. Night, cool land winds and dry.

Sunday, 12th.—Daylight, land winds, accompanied with a dense fog. After Divine service proceeded up to Old Town, accompanied by Commander Jolliffe; waited on the Chief, Willy Tom. He was rejoiced to see me. I told him that I had some serious palaver with him relative to infanticide. He was somewhat alarmed; he was aware that the matter had been communicated to me by Mr. S. Edgerly, Scotch missionary at this place. I told him that I would inquire into it strictly, and endeavour to totally abolish such abominations. I should bring it before King Eyo, of Creek Town, Duke Ephraim and gentlemen of Duke Town, and certainly use every means to put a stop to such awful abominations and calamitous proceedings as sending those that gave birth to twins into the bush to perish; it is too dreadful to think of. All the reply I got from him was "that the matter was quite quiet now." I told him that I should not dwell upon it at present. We took our leave, and walked a short

distance through part of a dilapidated village, caused by their superstitious tom-fooleries, arrived at the Mission-house and was kindly received by Mr. and Mrs. Edgerly. After a few minutes' conversation infanticide was introduced; it is one of their inhuman practices. They then introduced a female that had given birth to twins; they were under their protection. It is certainly awful, the custom of infanticide. After some discussion about the safety of the mother and twins, I proposed to request Commander Jolliffe to send a corporal's guard of marines on shore and transport them to Her Majesty's steamer "Myrmidon," to be placed under my protection at Fernando Po. Commander Jolliffe supported me in the proposition. Mr. and Mrs. Edgerly declined, and said that it was what the natives wanted. I begged leave to differ with them; the natives would receive such a blow to such inhuman practices, noticed in that manner and carried into effect, that the Chiefs and gentlemen of Creek, Duke, and Old Town, would be perfectly prepared to receive the next announcement similar to the one relative to their inhuman practices at the death of a Chief or headman which is now put an end to. There may be some, but it must be very private and at the peril of the Chief, if known to him, to be done publicly or privately; for they have already put pen to paper on that matter. I told them, on my next visit, I should enter seriously into the matter, and announce the same to the Chiefs previous to my departure. We then took our leave and returned on board, dined, and visited the Chief and gentlemen of Duke's Town. I introduced the inhuman practice of infanticide to the Chief and gentlemen; I told them that I had not time to call them together to endeavour to have the abominable practice abolished, having to visit Cameroons and Bimbia. I was anxious to be at Clarence by the 23rd to receive the mail. We then returned on board. I am certain it would take a week to settle the matter satisfactorily, for I am aware all the old people, &c., are so strongly wedded to those vile and most awful superstitions that we might as well try to remove Clarence Peak. Force of argument has not the slightest impression. The adults that have received some tuition on these awful abominations from the Missionaries are tractable, and readily convinced of their folly in adhering to those cursed practices.

Sunset.—Received a note from Captain Calvert requesting a tow down the river. Commander Jolliffe arranged the matter with me, to leave at daylight and take him in tow. Returned this message to Captain Calvert by his chief officer. Night cool and dry.

Monday, 13th.—Daylight, land wind and thick; weighed, and proceeded down the river.

6·30.—Took the "Victoria" in tow, 834 tons, laden with palm oil.

11 o'clock.—Cast her off abreast of Little Qua river, and proceeded down the river.

At noon on the bar; shaped course for Cameroons.

Midnight.—Anchored in eleven fathoms of water; thick weather.

Tuesday, 14th.—Weighed, and stood in for the land; sounded in five fathoms; sighted Cape Cameroons.

8 o'clock.—Abreast of it.

Noon.—Crossed the flats.

2 o'clock.—Anchored off King Bell's Town; Mr. Lawton and Mr. Ashmall, resident agents, called on board to pay their respects; also Mr. Horton Johnson, belonging to the Baptist Mission.

After dinner, went on shore to the Mission-house, and King Acqua's Town; kindly received by King Acqua and gentlemen; town clean and tastily laid out; houses small and neat, of bamboo, raised on mud, about three feet.

Sunset.—Returned on board.

Night cool and pleasant.

13th.—Daylight, dense fog; went on shore on business, and arranged some matters relative to a quarrel with the King's family. Some of them being from home, it would require two or three days ere they could be got together; such broils and quarrels are a great detriment to trade.

After breakfast, went on shore to visit King Bell; found him not nearly so ill as reported after the stroke of paralysis; talked over some of their palavers, such

as firing guns at each other, cutting and maiming. Such calamitous conduct would greatly injure his town, and the trade of the river in general; he as chief and head, ought to put a stop to such frightful measures, and fine them severely, "instead of which, you encourage such vile proceedings." I brought before his notice the case of John Mullaby, pilot, one of his own subjects, for insulting Mr. Ellis, supercargo of brig "Timbuctoo," of Bristol, ordering his slaves to lay hands on him, which they attempted; but Mr. Ellis, showing some resistance, got from them, and escaped in his boat; it was merely for turning him out of his vessel for insolence. "The complaint was brought to you, but you did not deign to take the proper notice of it, although you allowed that he had committed himself; he should have been fined in the full penalty, according to Treaty. It is well for him he is not here at present; but I do assure you that on my next visit he shall be brought before a public court, and punished for his insolence; you as a chief, for allowing such malpractices to escape due punishment, are liable to be fined heavily;" he had not anything to say for himself. We then took our leave and went on board to dinner. After which left in the gig accompanied by Commander Jolliffe, Messrs. Lawton and Ashmall, resident agents here, to visit Dido Chiefs. Landed at new Ned Dido's Town, walked up through the different villages, called on their principal men, and returned to Ned Dido's Town; remained a short time, and took our leave at sunset, and returned on board Her Majesty's steamer "Myrmidon." As King Acqua and his gentlemen were very anxious to have their quarrel amicably settled, they begged and requested me to remain a day or two, until two of the principal men returned from the market, stating that they had already sent a messenger to desire them to come as soon as possible. I took advantage of the two days to go up the river to the Island of Warree.

18th.—Left Her Majesty's steamer "Myrmidon," accompanied by Commander Jolliffe, and six kroomen, in his gig. Shortly after leaving, about two miles, it is dotted with islands; five or six miles above we came to the main branch, a fine stream of fresh water, banks on both sides cultivated, hills 200 or 300 feet high, villages on their slopes and tops richly cultivated. We arrived at the lower end of the Island of Warree at 10 o'clock, stopped and took breakfast, proceeded again at 12 o'clock, current beginning to run down strong, dotted with villages along its banks, and richly cultivated.

3 o'clock.—We passed the upper end of the island, and landed at a small village, and inquired for the Chief. We were informed that we had passed the residence of the Chief about a mile: we embarked again, and pulled down, we knew it by having two English flags flying. We landed, and were kindly received by the King; he arranged everything, as far as his small means afforded, for our comfort: we desired him to arrange for our remaining the night, which he very kindly attended to, though we were annoyed by mosquitoes.

19th.—Daylight, a dense fog; took breakfast, and took our leave of the Chief, &c., and left at 8 o'clock; arrived alongside of "Myrmidon" at 4 o'clock.

20th.—6·30. I went on shore to King Acqua's Town, and saw him, and inquired of him if the parties had returned from Aboo, a place where they go to purchase oil, &c.; he told me they arrived last evening. I desired him to have the parties collected; that I would come on shore at 10 o'clock, accompanied by Commander Jolliffe, to become mediator, and endeavour to establish peace and amity between them; otherwise their town and trade would be ultimately ruined. Returned on board to breakfast. Returned on shore at the time appointed; we took our seats under a large tree. The late old King Acqua left a large family, and since his death have had many broils and squabbles, but the last was more serious than any previous, two killed and several wounded; the matter was discussed. I told the King, and Prince Acqua, that it was at their written request that I was so anxious to settle their palavers. After a long conference, I requested them all to stand up, which they did, and shook hands, and signed the accompanying document; I then pronounced all quarrels and feuds at an end. They were all highly pleased: we took our leave, and returned on board. After dinner, visited King Bell and Mr. Joss, a Chief of a small town next to Bell's. I inquired of the former if Mullaby, the pilot, had returned from Qua-Qua; he told me he had not returned, but they expected him in two or three days. I told

him the affair relative to the pilot and Mr. Ellis must stand over until my next visit, as the "Myrmidon" must go to-morrow. We took our leave and returned on board.

21st.—6 o'clock. I went on shore to King Acqua's Town, and saw the parties that were at the conference yesterday, and cautioned them against quarrelling about frivolous matters. Only jealousy caused it. They shook hands, and promised faithfully; they could not war with each other any more, having signed the paper. I then returned on board satisfied. Weighed, and proceeded at 9 o'clock, and anchored off Bimbia at 3 P.M. After dinner, landed at the village of Jubilee, and called on Mr. and Mrs. Saker, Baptist missionary; went through his printing and bookbinding offices. He deserves a great deal of credit for what he has done and is doing, particularly brickmaking at Cameroons, where he has commenced erecting a house. Left, and visited King William. He had a few petty grievances. I told him I should stay over to-morrow. If he succeeded in getting those parties together, I would come on shore in the morning, and settle any palavers amongst them, for the benefit of trade and commerce, and their good; after which, took our leave, and returned on board at sunset.

22nd.—After breakfast I went, accompanied by Commander Jolliffe, to visit Nicoll's Island, where there are two factories belonging to Mr. J. Lynslager and Mrs. Matthews, of this colony. After which we went to Dick Merchant's Town, a distance of two miles. He had some grievances relative to King Bell at Cameroons. I told him that I was limited to time, and did not intend to enter into any long controversies. It was not possible to get parties together to-day; they must be deferred until my next visit. Took my leave, and returned on board at noon. Dick Merchant came alongside in a very large canoe with forty paddlers. Banners flying, and seated under a large umbrella, very gaily dressed, with a scarlet cloak, trimmed with gold, cocked hat and plume, to return our visit; he visited the engine-room, &c., and went below to the after-cabin, took a glass of wine, and departed.

After dinner, went on shore to King William, and rebuked him for not coming on board to return our visit: told him he ought to have sent a messenger to inform me that he had not succeeded in getting the parties to settle the grievances he had with Dick Merchant and others; they were only petty jealousies. At the same time I strongly urged and requested him to pay his debts owing to Mr. Lynslager; he was told that the "Myrmidon" started at daylight for Clarence Cove, so that all other matters would be deferred until my next visit, and took our leave. Walked to Mr. Saker's, and took our leave; he accompanied us to the boat. He asked Commander Jolliffe if he would favour him with ship room to Fernando Po. He was desired to be on board at daylight in the morning. Near sunset. When we got alongside, a fresh sea breeze. Midnight, a land wind.

23rd.—Daylight, Mr. Saker embarked. 8·30, weighed, and proceeded, and anchored in Clarence Cove at 3 o'clock, and landed at 4 P.M.

Trusting that my proceedings in this journal will meet with your Lordship's approbation, I am, &c.

(Signed) JOHN BEECROFT.

Inclosure 2 in No. 61.

Mr. Mc Loskey to Consul Beecroft.

Sir, *Rio Bento, November* 25, 1852.

AVAILING myself of your presence in this river, I request your assistance to adjust the subject of comey between the native Chiefs and myself. As the "City of Rochester" is the first hulk which ever has been stationed here, the Chiefs are at a loss to know how they ought to be paid this duty, and I find it difficult to satisfy them consistent with justice to myself. The matter of comey

with regard to transit ships is understood; but as hulks here must have tenderage, and light craft have to come in frequently, it is desirable to have it settled whether the trading vessels or the tenders should become chargeable with comey.

I have already paid comey to the Chiefs on both sides, and also entered into a written engagement with them, which bears their signature, to the effect that they were to receive one puncheon of oil for every 100 puncheons purchased from their respective sides. The import of this was fully explained before they signed. Afterwards, not considering a written agreement stringent, and releasing themselves from it, they demand payment of comey for every tender which came to me since my arrival. I offered them comey on the Bonny principle; they would not. As I wish to deal honestly with these people in all my transactions with them, yet not willing they should impose upon me, I submit the case to your decision, as I wish it once and for all settled on equitable principles.

I remain, &c.

(Signed) A. P. Mc LOSKEY.

Inclosure 3 in No. 61.

The Masters and Supercargoes of Ships in the Bonny River to Consul Beecroft.

Sir, *Bonny River, August* 31, 1852.

WE, the undersigned masters and supercargoes trading in this river, after due deliberation, are compelled to request your presence here.

In the latter end of May, King Pepple was attacked with paralysis, since which time he has remained in an almost imbecile state, and quite unable to conduct the business of the country.

We, in conjunction with King Pepple, convened a meeting of Chiefs, &c., to take such measures as would be thought advisable in the present confused state of affairs, when the authority of the King and ourselves was set at defiance by the parties refusing to attend, although they had twenty-four hours' notice.

We have for a long time refrained from writing, having been in expectation of a visit from you; and we now are unanimously of opinion that without your interference the British interests will suffer severely, as we have used our utmost endeavours to arrange matters satisfactorily, and have found all of no avail. We therefore feel assured that your presence alone will have the desired effect.

Yours most respectfully,

(Signed) ROBT. WYLIE, *Ship "Grand Bonny."*
CHAS. CAINE, *"Clifton."*
JOHN A. WARDE, *Ship "Rothschild."*
WILLIAM YALLOP, *Barque "Catherine."*
JOHN TODD, *Brig "Lalla."*
THOMAS GREGORY, *Barque "Cumberland."*
FREDERICK GRANT,
Agent to Messrs. R. & G. Bruce on board "Europa."
E. WYLIE, *"Ambrosine."*

Inclosure 4 in No. 61.

Articles for the consideration of Consul Beecroft.

Art. I. The injury done to the trading interests here, by the King compelling certain individuals to take trust from him, at exorbitant and ruinous prices, before they can be allowed to trade at many markets in the interior, and knowing the said parties have trust from the ships, in all probability of older date than his own, seizing upon the first oil sent down by the party in liquidation of his own debt, and the supercargo may be compelled to wait an unlimited time before the party may be able again to procure the oil.

II. Direct violation of the XVth Article of the Treaty, by the King refusing to assist masters in procuring their lawful debts, or to take such steps towards it

as are pointed out in the Treaty; in several cases refusing to act at all, telling masters to procure their debts themselves, his own being one of that number, due to the barque "Catherine."

III. Refusal of the Bonny Chiefs to attend meetings called by the masters, and approved of by the King, for the better regulation of the trade.

IV. Insolent and uncourteous language used by the King to masters, calculated to create much disturbance, the said masters having been grossly deceived by him.

V. The detention of trust, on the plea of work bars being due.

VI. The prevailing idea amongst the Chiefs and natives being that the Treaty is not binding upon them at all, and of no use; many Articles have been broken and treated with contempt, and the masters, receiving no assistance from the King, have been unable to enforce them, except at the risk of life.

VII. The violation of the XIth Article of the Treaty by John Africa's house on the 14th of October, when three gigs were chased by an armed war canoe, one master struck at most violently by a native, and the whole party only enabled to escape a severe assault by the speed of the boats.

VIII. The repeated attacks upon our kroomen during their occupation of wood-cutting, their implements being stolen, and themselves beaten, by parties who cannot be detected, but whom we believe to be instigated by Jew-Jew Peter-side.

IX. The exactions made by Omnee Brown (who styles himself head pilot) on the barque "Athena," before he would allow the pilots to take her to sea, and the general dilatory manner in which the pilots can be got on board until they think proper, which has caused the detention of many vessels.

(Signed) THOMAS GREGORY, *Barque "Huskisson."*
ROBT. WYLIE, *"Adventure."*
R. G. BIRKETT, *"St. Lawrence."*
J. THOMPSON, *"Ambrosine."*

Inclosure 5 in No. 61.

King Pepple to Consul Beecroft.

Sir, *Bonny, November* 29, 1852.

I AM glad you have come again to Bonny, but hope you will excuse me from attending a full meeting of Bonny Chiefs, as from illness I am unable to speak. I shall be most happy if you will allow me the privilege of a meeting with you when the Bonny Chiefs are not present.

I am, &c.

(Signed) KING his ⋈ mark. PEPPLE.

Inclosure 6 in No. 61.

The Masters and Supercargoes of Ships in the Bonny River to Consul Beecroft.

Sir, *Bonny River, December* 1, 1852.

AT a full meeting of the masters and supercargoes of the Bonny river, convened some time ago, to take into consideration the affairs of the country, it was thought advisable, in consequence of the ill state of health of King Pepple, to appoint Yaniboo and Ishaca, his two head men, to conduct said business, and, in fact, to be the King's representatives. Your having had an opportunity of seeing his present state, will perhaps enable you to sanction the appointment,

and invest the said men with such powers as you may deem requisite for the welfare of the trade; and we shall feel, &c.

(Signed) THOMAS GREGORY,
Supercargo, "Huskisson."
ROBT. WYLIE, "*Roe.*"
R. G. BIRKETT.
J. THOMPSON, "*Ambrosine.*"

Inclosure 7 in No. 61.

Mr. Allen to Captain Gregory.

Sir, *Barque "Athena."*

I AM now just clear of those pilots, as they call themselves, and am most happy to think I am; they are some of the greatest scamps I ever met with. When the anchor was nearly up, and sail set, they all left the ship, in consequence of my not giving them a quantity of beef and bread; and for this reason I was obliged to comply to their requests, or keep the ship to an anchor—the greatest imposition I ever saw.

On my leaving Captain Golastom, he informed me you would settle with these pilots, so that I should have nothing farther to do with them; by so doing you would greatly oblige, &c. Yours, &c.

(Signed) J. ALLEN.

Inclosure 8 in No. 61.

Mr. Goldstone to Consul Beecroft.

Sir, *Barque "Heroine," New Calabar, November* 9, 1852.

I TAKE the liberty of soliciting your attention to a letter from the master of the barque "Athena," consigned to me, and now in charge of Captain Gregory, who has undertaken to present the same to you.

Both the Bonny and Calabar pilots are in the habit of demanding large quantities of ship provisions; and, no matter how long the ship may have been out, or how short of provisions, the demand is actually enforced; for unless complied with, they will leave the vessel, even in distress, and laugh at the delay and inconvenience caused. I am, &c.

(Signed) E. GOLDSTONE,
Agent to Messrs. Stuart and Douglas.

Inclosure 9 in No. 61.

Notice.

TO all whom it may concern. Know ye that, at a full meeting of masters and supercargoes, convened at the King's request, for the purpose of appointing Yaniboo and Ishaca (his two head men) as his representatives—in consequence of his own incapacity, from illness, to conduct the business of the country—the aforesaid masters and supercargoes considered the two said men, Yaniboo and Ishaca, as the most fit and proper persons to conduct said business.

I therefore sanction and ratify their appointment as Regents during the King's illness.

Bonny River, on board Her Britannic Majesty's ship "Myrmidon,"
December 1, 1852.

(Signed) JOHN BEECROFT,
Her Britannic Majesty's Consul, Bights of Benin and Biafra.

Witnesses: KING PEPPLE.
THOMAS GREGORY.
ROBT. WYLIE.
J. THOMPSON.
R. G. BIRKETT.

Inclosure 10 in No. 61.

Mr. Birkett to Consul Beecroft.

Sir, *November* 30, 1852.

I BEG to bring before your notice the following complaint against Amacree, King of Calabar, viz.:

On the 16th day of November he made a verbal agreement with me, in presence of the Undersigned, to take all the salt—less sixty tubs—from my vessel, the "Sarah Horne," now lying in his river; which said salt he was to commence taking on the following day, paying for the whole nine puncheons of palm-oil. At the expiration of three days he came to the vessel, but distinctly refused to take any, his plea being that he had no written agreement; as also, that part of the salt had been removed from its former place, which was the case, as we were compelled to remove a part, in order to stow casks.

I lay this complaint before you, as he is constantly in the habit of making agreements, and breaking them immediately, which causes not a little inconvenience and delay, as in the present case. The natives knew that he had made the arrangement for the salt, and therefore would not come near the ship to purchase it, where previously I might have sold the whole retail. I consider that the vessel has been now detained a week in her lading; and as portion of the salt is still on board, and will therefore be a source of further delay; as also having been compelled to send oil away, and land other on the beach, thereby sustaining a great loss from want of room in the hold.

Yours, &c.

(Signed) R. G. BIRKETT.

(Signed) J. CHARLES QUAYH.

Inclosure 11 in No. 61.

King Acqua and Prince Dido to Consul Beecroft.

Cameroons, December 19, 1852.

WE, the King sons of the town of Barnicoo, have send this few lines to you, that we the King's sons was have some quarrel among ourself; and we was fighting, and two men was killed, and thirteen get wounded; one of King Acqua own son, by name Nedd, has wound, and so we beg of you to come and have this case settle for us, for we ourselves do not able to settle it by ourselves, for we fear that our town will soon come to ruin; and we have already agreed that after you come and made peace between us, the first man who will began to made any quarrel in the town, he is to paid two puncheon of oil, for we wish all we King's sons to be quiet and peaceable with each other.

We remain, &c.

(Signed) his KING ⋈ ACQUA. mark.

his PRINCE ⋈ DIDO. mark.

Inclosure 12 in No. 61.

Declaration.

JOHN BEECROFT, Esq., Her Britannic Majesty's Consul, having been called upon to settle a quarrel between the undersigned inhabitants of Acqua Town and its neighbourhood in Cameroon's River; and being requested by them to take such means as he may think proper to prevent the recurrence of these feuds, pronounces this present quarrel settled; and that any person or persons who shall hereafter make, foster, or promote a quarrel endangering the peace of the town, or the lives or liberties of his or their fellow-subjects, shall be summoned before the said King Acqua, with two head men; and in the event of being found guilty of the said crimes, shall be fined the value of nine

crews of palm-oil, to be forfeited in the proportion of two-thirds for reparation of injury done, or for improvement of the town, and one-third to King Acqua and the two head men.

And we, the Undersigned, agree to the terms of the above note of John Beecroft, Esq., and pledge ourselves to observe the same, under a penalty of the value of twenty crews of palm-oil, to be appropriated as Her Britannic Majesty's Consul may determine.

(Signed) KING his mark ACQUA.
PARROTT his mark ACQUA.
DIDO his mark ACQUA.
NED his mark ACQUA.
LAWTON his mark ACQUA.
DE CONGE his mark ACQUA.

Witnesses:
JOHN BEECROFT,
Her Britannic Majesty's Consul.
W. KYNASTON JOLLIFFE,
Lieutenant Commander Her Britannic Majesty's steam-vessel "Myrmidon."
THOS. HORTON JOHNSON.

No. 62.

Consul Beecroft to the Earl of Clarendon.—(*Received May* 10.)

My Lord, *Clarence, Fenando Po, March* 29, 1853.

I HAVE the honour to communicate, for your Lordship's information, that Her Majesty's brig "Ferret," Commander Macdonald, arrived here on the 26th instant, acquainting me with the capture by him of the Spanish slave schooner "*Restorada,*" on the 18th instant, at New Calabar.

Information of the slaver's presence in New Calabar, was conveyed to Commander Macdonald by the mail-steamer "Faith."

Amacree, the Chief of that place, is a party to a Treaty with England, signed 8th August, 1851, for the suppression of the foreign Slave Trade. Prior to his forwarding information regarding this slaver, he managed to get into his own possession the whole of the money brought for the purchase of slaves, no doubt by promises and representations made on his part to the purchaser; whether he intended to fulfil these promises should opportunity offer, and denounce him should no opportunity occur for the shipment of slaves, and thus avoid the consequences of an open violation of the Treaty, is a question at present rather difficult to solve. Commander Macdonald has, however, in consistence with his sense of duty, made Amacree deliver up to him the whole of the bullion, allowing him to retain some barrels of aguardiente only.

In the event of another affair of the kind occurring, I wish to be informed, my Lord, whether Her Majesty's Government can countenance this mode of suppressing the Slave Trade; whether Chiefs who have become parties to our Treaties for the suppression of the Slave Trade will be permitted, by false representations and promises, to decoy slave purchasers into their rivers, for the purpose of obtaining possession of their property, and then giving information to one of Her Majesty's cruizers, merely to get the slaver out of the way, after the gratification of their cupidity; and whether they will be permitted to retain the whole or any portion of the property so obtained; or whether Her Majesty's officers are to insist on the whole of such property being given up for the benefit of Her Majesty's Government.

I have, &c.
(Signed) JOHN BEECROFT.

No. 63.

Consul Beecroft to the Earl of Clarendon.—(*Received May* 11.)

My Lord, *Clarence, Fernando Po, April* 6, 1853.

I HAVE the honour to communicate to your Lordship that I have received information of an American barque, the "*Jasper,*" having succeeded very lately in getting clear with a cargo of slaves, shipped at some place between Cape St. Paul's and Popoe.

The same vessel was in this place in 1851 and purchased a small quantity of palm oil on the island and bound for Cuba. She is a vessel of about 300 tons burthen, hails from New York, and was at that time commanded by a person named Samuel Young.

I have, &c.

(Signed) JOHN BEECROFT.

No. 64.

Consul Beecroft to the Earl of Clarendon.—(*Received July* 14.)

My Lord, *Clarence, Fernando Po, May* 19, 1853.

I BEG leave to state for your Lordship's information that I left this place for Brass in the merchant brig "Idas" on the 13th ultimo, for the purpose of ascertaining the dispositions of the Chiefs of that place with a view to a Treaty with England for the suppression of the foreign Slave Trade.

The recent attempt at New Calabar by the Spanish slave schooner "*Restorada,*" captured by Her Majesty's brig "Ferret" on the 18th March last, makes it very desirable that a Treaty should be made with Brass as soon as possible, and the proximity of the Nunn with the latter place gives great facilities for illegal traffic, particularly so as we have at present no power by Treaty to interfere within the limits of their territories.

I found them favourably disposed to enter into an engagement with England for the suppression of the foreign Slave Trade, and beg to await your Lordships' directions therein.

I have, &c.

(Signed) JOHN BEECROFT.

No. 65.

The Earl of Clarendon to Consul Beecroft.

Sir, *Foreign Office, July* 30, 1853.

I HAVE received your despatch of May 19th, on the subject of your visit to the River Brass for the purpose of ascertaining the disposition of the Chiefs of that river with respect to the conclusion of a Treaty with this country for the suppression of the Slave Trade; and I have to state to you that as you have already been fully authorized and empowered to conclude engagements for that purpose with the native Chiefs within the district of your Consulate, you will of course take advantage of such a favourable opening as that referred to in your despatch, to conclude an Anti-Slave Trade Treaty with the Brass Chiefs, and with any other Chiefs in the Bight of Biafra who may not already have pledged themselves by Treaty to suppress the Slave Trade.

I am, &c.

(Signed) CLARENDON.

No. 66.

Consul Beecroft to the Earl of Clarendon.—(*Received October* 24.)

My Lord, *Fernando Po, September* 6, 1853.

HEREWITH I inclose for your Lordship's information a letter addressed to me by Mr. John P. Mitchell, a resident agent in the Brass river, conveying

information of the appearance and proceedings of the slave schooner "*XVI*" in that river from the 17th to the 28th July last.

I beg leave to ask your Lordship's attention to my despatch of May 19th, relative to the absence of a Treaty with the Chiefs of that river, and requesting your Lordship's directions therein.

I have, &c.
(Signed) JOHN BEECROFT.

Inclosure in No. 66.

Mr. Mitchell to Consul Beecroft.

Hulk "City of Rochester," Brass River,
Dear Sir, *August* 18, 1853.

YOU no doubt would hear from barque "Adrian" of a schooner having been in this river buying slaves, from the 17th to the 28th July. She showed Spanish colours, had "*XVI*" on her stern, and was commanded by Captain Minzee, brother of the late Don Pablos. He took away, as near as I can ascertain, 115 slaves, purchased for 2 doubloons each, or a pipe of rum. We are much in want of a Treaty in this river for the proper regulation of trade, &c. The brig "Idas" arrived here in May, in ballast, and left in ballast; had to pay full pilotage in and out, and had great difficulty in escaping having to pay an exorbitant comey, same as if the brig had taken a cargo of oil instead of a few Kroo boys. Again, to-day she is leaving the river only half full of oil, yet I have to pay full comey or have my trade stopped. I trust you will come here at your earliest convenience, and put this river on the same footing as the Bonny. It is not at all fair for a small vessel of 100 tons to be forced to pay as much comey as one of 200 tons. The Chiefs say they are ready to put "hand for your book."

Hoping these will find you enjoying the best of health, and trusting you will soon be paying us a visit, believe me, &c.

Yours very truly,
(Signed) JOHN P. MITCHELL.

No. 67.

Consul Beecroft to the Earl of Clarendon.—(*Received October* 24.)

My Lord, *Clarence, Fernando Po, September* 9, 1853.

I BEG to acknowledge the receipt of your Lordship's despatch, dated July 30th, in reply to my despatch of May 19th.

My object in informing your Lordship of the favourable disposition of the Chiefs of the Brass River, with reference to the conclusion of a Treaty with England for the suppression of the foreign Slave Trade, was not simply to obtain your Lordship's sanction to that step beforehand, so as to do away with the necessity of your Lordship's approbation afterwards for its ratification, but that, as it has been the practice of Her Majesty's Government to grant presents of greater or less value as an inducement and reward to the Chiefs signing the Anti-Slave Trade Treaties with England, I expected your Lordship's direction as to the value of the presents to be given (if any), and the number of years to elapse before their discontinuance.

I shall, however, proceed to the Brass River on my first opportunity, and conclude a Treaty with the Chiefs, on the same footing as the one concluded with King Amacree, of New Calabar, in 1851, allowing a present from Her Majesty's Government of 1,000 dollars, and trust the measure will meet with your Lordship's approbation.

I have, &c.
(Signed) JOHN BEECROFT.

AFRICA. (*Consular*)—*Liberia.*

No. 68.

Consul Newnham to the Earl of Clarendon.—(*Received June 3.*)

My Lord, *Monrovia, May 7,* 1853.

I HAVE the honour to transmit to your Lordship the "Liberia Herald," dated April 6th, 1853, wherein will be found a proclamation relative to the Slave Trade.

On the 16th of last month (April) I wrote to the commanding officer of Her Britannic Majesty's naval forces stationed at Sierra Leone, requesting that a ship of war might speedily touch at Monrovia, provided more important duty were no impediment, which despatch was forwarded by the African mail steamship "European," which arrived and left here the following day.

Her Britannic Majesty's steam-vessel "Firefly," Commander G. A. Seymour, came to anchor off the Cape Mesurado on the 22nd of last month (April), and I gave that officer a printed proclamation that had been handed me by the Secretary of State for Foreign Affairs in this Republic, and similar to the one in the inclosed newspaper.

The cutter "Zephyr," master Du Fen, (as a forerunner to the arrival of the ships of Messrs. Hyde, Hodge, and Co., which have not yet appeared in sight, but are daily expected,) has gone down the coast to procure rice as food for the emigrants intended to be shipped from this country, and returned to Sierra Leone.

I have, &c.
(Signed) J. G. C. L. NEWNHAM.

Inclosure in No. 68.

Proclamation.

WHEREAS Messrs. Hyde, Hodge, and Co., of London, contractors with Her Britannic Majesty's Government to furnish labourers from the African coast for the West Indies, have sent some of their ships to the coast of the Republic, offering an advance of 10 dollars for every person who may be induced to emigrate: and whereas the extinction of the Slave Trade has left large numbers of predial and other labourers in the possession of the Chiefs and principal men of the country; while the offer of 10 dollars each is nearly equivalent to the amount formerly paid for slaves during the prevalence of the Slave Trade, and which operated mainly in producing and sustaining the wars by which the country was distracted: and whereas certain refractory Chiefs are reported to have engaged with the agents of said Company to furnish a number of labourers, and are further known to have in concealment, near Grand Cape Mount, a number of the unhappy victims of their predatory excursions: and whereas, complaint has been made to the Government that persons are held to be sent off without their voluntary consent, or the consent of their natural guardians: therefore, to prevent the abuses and evils which might otherwise result from the enterprise:

Be it known by this Proclamation, to all whom it may concern, that the law regulating passports must be strictly observed; that vessels carrying, or intending to carry away emigrants, must come to this port with their emigrants on board,

to obtain passports, in order that an opportunity may be presented to the Government to ascertain whether the emigration be free or constrained. Every violation of the laws regulating passports will be visited with the utmost penalty of the law in that case made and provided.

Done at Monrovia this twenty-sixth day of February, in the year of Our Lord one thousand eight hundred and fifty-three; and of the Republic the fifth.

(Signed) J. J. ROBERTS.

By the President,

(L.S.) H. TEAGUE, *Secretary of State.*

No. 69.

Consul Newnham to the Earl of Clarendon.—(*Received August* 16.)

My Lord, *Monrovia, July* 9, 1853.

I HAVE the honour to state that during the evening of Sunday the 3rd of this month arrived at this port Captain E. Y. Tomkins, master of the brig "George," in the cutter "Echo," from Bassa (both vessels being of the port of Liverpool), and stated that he had been sent to Monrovia by the Vice-President of this Republic (Liberia) to inform that Government that a slaver was on the coast off Trade Town about to take in slaves, and would remain some days, for which information it is reported he received forty dollars.

Ere midnight I despatched a canoe and four Kroomen to Her Britannic Majesty's steam-vessel "Pluto," which vessel of war I learnt was at Grand Cape Mount, to notify the facts by letter, which was to be delivered to the commanding officer, or any other officer of one of Her Majesty's ships the Kroomen might fall in with; and in the event of their being unsuccessful, I ordered it to be left with Mr. Parker, resident at the aforesaid place, to be given to the first vessel of war that might arrive.

The Kroomen have returned, having been unfortunate in meeting with any of Her Majesty's ships.

I trust, my Lord, I may be pardoned when I suggest, that were Her Majesty's naval forces to touch oftener at this port—for instance, monthly—it might aid in uprooting the Slave Traffic, as, since my arrival here, the 21st of February last, only one vessel of war has visited Monrovia, namely, the steamer "Firefly," Commander G. A. Seymour, R.N.

I have, &c.

(Signed) J. G. C. L. NEWNHAM.

No. 70.

The Earl of Clarendon to Consul Newnham.

Sir, *Foreign Office, September* 17, 1853.

I HAVE communicated to the Colonial Department a copy of your despatch of the 7th of May last, inclosing a copy of a proclamation issued by the President of Liberia relative to the emigration of natives of Africa from Liberia to British colonies, and I have to acquaint you that Messrs. Hyde and Hodge, the contractors mentioned in that proclamation, have stated to the Colonial Office that their agent, Mr. Theusted, has caused the mode in which the emigration under their charge was conducted to be strictly investigated by you.

I have therefore to desire that you will transmit to me, for the information of Her Majesty's Government, your report of that investigation.

I am, &c.

(Signed) CLARENDON.

No. 71.

Consul Newnham to the Earl of Clarendon.—(*Received January* 9, 1854.)

My Lord, *Monrovia, November* 10, 1853.

I HAVE been honoured by a communication from your Lordship, bearing date the 17th of September last.

I beg to inclose tbe copy of a letter I received from Mr. Theusted, agent for Messrs. Hyde, Hodge and Co., and of my reply thereto.

I beg to state, for the information of Her Majesty's Government, that I have not investigated this matter at the instance of Mr. Theusted.

I clearly and distinctly understood from Mr. Theusted, during his sojourn at Monrovia, that he himself had received instructions from the above-mentioned firm to ascertain the motive the Liberian Government had in issuing the proclamation alluded to in your Lordship's despatch.

Mr. Theusted addressed a letter on the subject to the President of this Republic (Liberia), and an answer was given, such as I trust may be deemed satisfactory, and to which I have put my seal of office.

Mr. Theusted left Monrovia for England by the mail steamer "Hope" the 22nd of September last, having obtained other documents relative to the matter in question, to which I also affixed my official seal.

I have, &c.
(Signed) J. G. C. L. NEWNHAM.

Inclosure 1 in No. 71.

Mr. Theusted to Consul Newnham.

Sir, *Monrovia, August* 24, 1853.

REFERRING to a Proclamation which appeared in the "Liberia Herald" of the 6th April last, issued by President Roberts, I have the honour to request you will please to inform me whether the subject matter of the contents of that Proclamation was ever officially communicated to you as Her Majesty's Consul by President Roberts, and what official steps you took in the matter. As the Proclamation in question has led to some correspondence between Messrs. Hyde, Hodge and Co. and the home authorities, I am desirous of affording my principals every possible information, to enable them to report on the subject, and to this end shall feel obliged by your furnishing me with such knowledge of the matter as you may possess.

I have under this date addressed a letter to his Excellency President Roberts, requesting that gentleman to have an investigation instituted into the charges preferred against Messrs. Hyde, Hodge and Co., at which inquiry I have requested that you, as Her Majesty's Consul at this Republic, and myself, may be permitted to attend.

I have, &c.
(Signed) J. G. THEUSTED,
Agent for Hyde, Hodge, & Co., of London.

Inclosure 2 in No. 71.

Consul Newnham to Mr. Theusted.

Sir, *Monrovia, August* 25, 1853.

I HAVE the honour to inform you, that I have received your letter bearing date 24th August, 1853, relative to a Proclamation which appeared in the "Liberia Herald" of the 6th April last; and in reply to your question whether "the subject matter of the contents of that Proclamation was ever officially communi-

cated to me as Her Britannic Majesty's Consul by President Roberts, and what official steps I took in the matter," I beg to state that a proclamation, similar to that which appeared in the above-mentioned newspaper, was handed me by the Honourable H. Teague, late Secretary of State for the Department of Foreign Affairs in this Republic, which I delivered to Commander G. A. Seymour, of Her Britannic Majesty's steam-sloop "Firefly," and that one number of the "Liberia Herald" which contained the proclamation in question I forwarded to the Foreign Office.

I have, &c.
(Signed) J. G. C. L. NEWNHAM.

No. 72.

Lord Wodehouse to Consul Newnham.

Sir, *Foreign Office, January* 17, 1854.

WITH reference to your despatch of the 10th of last November, and to previous correspondence respecting the proclamation issued by the President of Liberia on the 26th of February, 1853, on the subject of emigration from the West Coast of Africa to the West Indies, I am directed by the Earl of Clarendon to acquaint you that his Lordship has been informed by the Secretary of State for the Colonies, that with a view of preventing any abuse of this emigration, his Grace has instructed the Governor of Sierra Leone that no further emigration can be sanctioned from the Kroo Coast, or from any other place lying beyond British jurisdiction.

African emigration will therefore, until further directions, be confined exclusively to the port of Sierra Leone, and will be continued from thence under the careful precautions which have always been taken both for ensuring the free agency of the parties who emigrate, and for guarding them against the influence of misrepresentations.

I am to add, that the Duke of Newcastle has explained to Lord Clarendon, that these instructions have been founded solely on the risk of abuse to which it would appear that all emigration from places in Africa not under the immediate control of British authorities must be exposed, and that his Grace holds the respectable firm of Messrs. Hyde, Hodge and Co. wholly free from any imputation of having wished to promote directly or indirectly by improper means the emigration for which they have been employed by the Colony of British Guiana.

I am, &c.
(Signed) WODEHOUSE.

AFRICA. *(Consular)—Sherbro River*

No. 73.

Mr. Addington to Consul Hanson.

Sir, *Foreign Office, September* 21, 1853.

I AM directed by the Earl of Clarendon to transmit to you, for your information, the accompanying copy of the Additional Articles to the Treaty of July 4, 1849, between Her Majesty and the Chiefs of Sherbro, which were concluded by Governor Kennedy with those Chiefs on the 31st of March last. I am also to transmit to you a copy of the papers relating to the Slave Trade which were presented by Her Majesty's command to both Houses of Parliament during the Session of 1852.

I am, &c.
(Signed) H. U. ADDINGTON.

Inclosure in No. 73.

Additional Articles to the Treaty of July 4, 1849, *between Her Majesty and the Chiefs of Sherbro.*

Additional Articles to the Treaty between Benjamin Chilley Campbell Pine, Esquire, Acting Governor of the Colony of Sierra Leone; and Hugh Dunlop, Esquire, Commander of Her Majesty's ship "Alert," and Senior Officer of the Northern Division of Her Majesty's ships and vessels on the west coast of Africa, on behalf of Her Most Gracious Majesty the Queen of Great Britain and Ireland; and Careybah Caulker, Chief of Bompey, and Thomas Stephen Caulker, Chief of the Plantain Islands, and other Chiefs of the Sherbro Country, parties thereto, friends and allies of the said Careybah Caulker and Thomas Stephen Caulker, signed at Tasso, in the Sherbro Country, the fourth day of July, one thousand eight hundred and forty-nine.

WHEREAS it is expedient to make further additions to the aforesaid Treaty:

It is therefore hereby agreed between his Excellency Arthur Edward Kennedy, Captain-General and Governor-in-chief in and over the Colony of Sierra Leone and its Dependencies, Vice-Admiral, Chancellor and Ordinary of the same, on behalf of Her Most Gracious Majesty the Queen of Great Britain and Ireland; and the aforesaid Careybah Caulker, Chief of Bompey, and Thomas Stephen Caulker, Chief of the Plantain Islands, Pierre Charley, King of Sherbro, Harry Tucker, Chief of Shebar, and William Tucker, Chief of Bullom and Boom Rivers.

ARTICLE I.

The cruizers of the British Government, or any officer deputed by his Excellency the Governor of Sierra Leone, whenever they fall in with any vessels or boats belonging to the people of Sherbro, suspected of being engaged in the Slave Trade, or with any vessels or boats belonging to other nations within the waters of the Chiefs of Sherbro, suspected of being engaged in the Slave Trade, may detain and search them; and in case of their finding that any of the vessels

or boats aforesaid belonging to the people of Sherbro have violated this engagement, by the exportation of slaves from the coasts of Africa or elsewhere, or that the vessels and boats belonging to other nations have been engaged in the Slave Trade within the waters of the Chiefs of Sherbro, upon any pretext whatever, they (the Government cruizers or officers deputed by his Excellency the Governor of Sierra Leone) may seize and confiscate the same; and the vessels and boats so seized shall be taken to Sierra Leone to be tried by English law; and when condemned, shall be sold, and the produce of the sale shall be divided equally between the Queen of England and the Chief or Chiefs of Sherbro, and the slaves who were found on board shall be made free.

ARTICLE II.

The Queen of England shall have the right to demand the surrender of criminals or other persons, being British subjects, or liberated Africans, or others, resident in Sierra Leone, accused of any crime or offence committed within the colony of Sierra Leone or its dependencies, cognizable by the laws of England, for the purpose of being tried for such offence in Sierra Leone, or such British colony as the Queen of England may think fit to appoint. And the Chiefs of Sherbro, parties to this Treaty, hereby bind themselves to secure and surrender all British subjects, or liberated Africans, or others, resident in Sierra Leone, who may be charged with any crime or offence as aforesaid, upon demand being made for them by his Excellency the Governor of Sierra Leone, or any other competent authority.

ARTICLE III.

The Queen of England shall have also the right to demand the surrender of criminals, or other persons, being British subjects, or liberated Africans, or others, resident in Sierra Leone, charged with any crime or offence committed within the territories of the Chiefs of Sherbro, cognizable by the laws of England, for the purpose of being tried for such offence in Sierra Leone, or such British colony as the Queen of England may think fit to appoint. And the Chiefs of Sherbro, parties to this Treaty, hereby bind themselves to secure and surrender all British subjects, or liberated Africans, or others, resident in Sierra Leone, who may be charged with any crime or offence as aforesaid, upon demand being made for them by his Excellency the Governor of Sierra Leone, or any other competent authority.

ARTICLE IV.

English people may buy and sell, or hire lands and houses, in the Sherbro Country; and their houses shall not be entered without their consent, nor shall their goods be seized nor their persons touched; and if English people are wronged or ill-treated by the people of Sherbro, the Chiefs of Sherbro shall punish those who wrong or ill-treat the English people.

ARTICLE V.

But English people must not break the laws of the Sherbro Country; and when they are accused of breaking the laws, the Chiefs shall send a true account of the matter to the nearest place where there is an English force, and the commander of such English force shall send for the English person, who shall be tried according to English law, and shall be punished if found guilty.

ARTICLE VI.

If the Sherbro people should take away the property of an English person, the Chiefs of Sherbro shall do all they can to make the Sherbro people restore the property and pay the debt: and if English persons should take away the property of the Sherbro people, or should not pay their just debts to the Sherbro

people, the Chiefs shall make known the facts to the commander of the English force nearest to the Sherbro Country, or to the resident Agent, if there is one; and the English commander, or the Agent, whichever it may be, shall do all he can to make the English persons restore the property and pay the debt.

Done at Freetown, Sierra Leone, this thirty-first day of March, in the year of our Lord one thousand eight hundred and fifty-three, and of Her Majesty's reign the sixteenth.

(L.S.) A. E. KENNEDY, *Governor.*

(L.S.) CAREYBAH his ⋈ mark CAULKER, *Chief of Bompey.*

(L.S.) THOMAS S. CAULKER, *Chief of Plantain Islands.*

(L.S.) HARRY his ⋈ mark TUCKER, *Chief of Shebar.*

(L.S.) PIERRE his ⋈ mark CHARLEY, *King of Sherbro.*

(L.S.) WILLIAM TUCKER, *Chief of Bullom and Boom Rivers.*

Witnesses:
(Signed) John Carr, *Chief Justice.*
J. F. Smyth, *Colonial Secretary.*
Charles Fortune.
C. H. Tucker.

No. 74.

Consul Hanson to the Earl of Clarendon.—(*Received February* 13, 1854.)

My Lord, *Victoria, Sherbro Island, December* 31, 1853.

I HAVE the honour to submit a brief report upon the Slave Trade in the Sherbro.

I believe that the transport of slaves by canoe through these waters from the Gallinas to the neighbourhood of the colony of Sierra Leone, is still continued.

In May last, Kaibuka, the Chief of the Bagroo, a province of Sherbro, apprized Mr. Thomas Stephen Caulker, Chief of the Plantain Islands, that certain Mandingo traders were in his territory with 13 slaves, whom they were preparing to convey by canoe to the northward. Mr. Caulker and Kaibuka succeeded in arresting the proceeding, and procuring 9 of the slaves, whom Mr. Caulker delivered up to me on the 22nd of November; when I assured him that it afforded me great satisfaction to inform him that it would be my pleasing duty to communicate to your Lordship his faithful observance of the provisions of the Treaty; and on the 30th of November I had opportunity to deliver them to the Commander of Her Majesty's steam-vessel "Teazer," tender to the "Penelope," for conveyance to Sierra Leone, to his Excellency Governor Kennedy.

On the 27th of December I had the satisfaction to seize, in the boat I have hired, a Gallinas canoe with 4 slaves, viz., 2 men, 1 woman, and a boy, whom I liberated, and have here awaiting conveyance to Freetown. The canoe and its contents—partly because of their being the property of unknown natives, but much more because of the good effect it would have upon the minds of these people (by making them feel that there was nothing mercenary in the proceeding)—I delivered back to the crew. I trust this step will meet your Lordship's approval.

Your Lordship will, I trust, rest assured that I will omit no opportunity to do my utmost to suppress this canoe-transport system; but as there is risk connected with the capturing of these canoes, I would respectfully request that

requisition may be made by your Lordship to the Admiralty to cause me to be supplied with arms for my boat's crew. At present I am obliged to arm them with the very indifferent cutlasses made for this trade, some of which I have had to buy here.

Looking with earnest hope to obtain your Lordship's kind consent and encouraging approval, &c.

I have, &c.
(Signed) AUGUSTUS WM. HANSON.

No. 75.

The Earl of Clarendon to Consul Hanson.

Sir, *Foreign Office, March* 11, 1854.

I HAVE received your despatch of the 31st of December last, stating, that by means of the canoe hired by you, you have been enabled to visit and search the Gallinas canoes, in order to suppress the Slave Trade. You also point out the risk to which you are exposed in effecting this inspection of canoes; and you therefore request to have a supply of muskets to arm your boat's crew.

I have to remind you, that when you received permission to provide yourself with a whale-boat and a Kroo canoe, you were informed that this permission was granted in order that you might be enabled to proceed in person to the distant ports of your Consular district, and that you might have the means of sending messages. But you have never been instructed to employ yourself in personally suppressing the Slave Trade. This is a service which would certainly not only expose you to personal danger, but might also involve you in disputes with the Chiefs in the Sherbro and Gallinas rivers, which might become embarrassing to Her Majesty's Government.

If it should come to your knowledge that the Slave Trade is in any way carried on within the limits of your agency, it will be your duty to give the earliest information of such proceedings, either to the Commander of the nearest British cruizer, or to the Governor of Sierra Leone; and you will also address temperate remonstrances to the Chiefs in whose territories any such criminal undertaking may be carried on: but it is no part of your duty personally to capture boats which you may suspect of being engaged in the Slave Trade.

I am, &c.
(Signed) CLARENDON.

BRAZIL.

No. 76.

Mr. Jerningham to Lord John Russell.—(Received April 17.)

My Lord, *Rio de Janeiro, March 3, 1853.*

WITH reference to the late Mr. Southern's despatch of the 10th of August, 1852, I beg to transmit to your Lordship the copy of a despatch, together with an inclosure, which has been received at Her Majesty's Legation in Rio, from Mr. Callander, Her Majesty's Consul at St. Catherine's, stating that the "*Sem Igual*," the property of João da Costa, junior, of Bahia, a vessel purporting to have been employed on a whaling expedition, had arrived in that port on the 23rd of December last, and that strong suspicions were entertained against her as being intended for the Slave Trade.

In consequence of this communication, I forthwith addressed the note to Senhor Paulino, of which I have the honour to inclose a copy to your Lordship, drawing the attention of the Brazilian Government to the particulars of these and previous rumours respecting the "*Sem Igual*," and at the same time pressing his Excellency to take active and energetic measures to prevent the evil projects of those connected with this vessel from taking effect.

I have, &c.

(Signed) WM. STAFFORD JERNINGHAM.

Inclosure 1 in No. 76.

Consul Callander to Mr. Southern.

Sir, *St. Catherine's, January 8, 1853.*

I HAVE the honour to transmit herewith copies of correspondence and other documents relative to the Brazilian barque "*Sem Igual*," of Bahia, which arrived here from a whaling voyage on the 23rd of December last, and is suspected of being intended for the Slave Trade.

On the evening of the 24th the whaling mate of this vessel, Michael Macdonald, came to me, and stated that he was a British subject, a native of Ireland; that he had joined her in Boston, United States; had been out eleven months, about six of which were passed in port at Bahia and Ilheos; that it was currently reported in Bahia that she was intended for slaving, and that she had previously brought over slaves from Africa, and from what he had seen and heard since he shipped, he believed that she was intended for the Slave Trade; he also said he had kept a journal of the voyage, which he could produce. I desired him to return next day and bring it with him, when I took down his declaration in writing. I have also extracted, verbatim, such parts of the journal as I thought might be of service. He also stated subsequently that João da Costa's launch, which took oil from the "*Sem Igual*" from Ilheos to Bahia, on account of the length of time it was absent, about six weeks, and from being seized by the authorities on its return to Bahia, is strongly suspected of having fallen in with and taken slaves from a vessel which the "*Sem Igual*" was said to be waiting for

at the time. He further stated that he saw, up the river at Ilheos, a vessel of about 80 tons lying ready to be masted, which he supposed to be a slaver from her appearance. He also said that João da Costa has an establishment there for fitting out vessels.

In consequence of what had come to my knowledge respecting the "*Sem Igual*," I deemed it my duty to bring the subject under the notice of the President, which I did on the 1st instant, and yesterday received his reply, the receipt of which I acknowledged to-day.

The consignee of this vessel, learning that she had been denounced to me as being intended for slaving, requested me to furnish him with a certified copy of what had been stated to me about her; but as the matter had not been brought before the President at the time (he being absent), and not being aware whether I was at liberty to supply such information, I did not accede to his request.

The consignee showed me some certificates, signed by the competent authorities at Bahia, justifying the large hatches, half deck, number of casks, and large boilers, as being necessary for the purpose of the voyage.

I beg to observe that the second whaling mate, an American subject, has also made a declaration respecting this vessel to the United States' Consul here, very similar to that made to me.

Should any additional information worthy of notice in respect to this barque come to my knowledge, I will report accordingly.

I have, &c.

(Signed) RANDAL CALLANDER.

Inclosure 2 in No. 76.

Certificate.

I, THE UNDERSIGNED, Her Britannic Majesty's Consul at St. Catherine's, do hereby certify that on this 25th day of December, 1852, before me personally came and appeared Michael Macdonald, who voluntarily declared and said as follows:—That he is a British subject. That he joined the Brazilian barque "*Sem Igual*" in Boston as whaling mate, to proceed on a whaling voyage for two years. That the said barque belongs to João da Costa, of Bahia. That the name of the master of the said barque is I. G. Lages, a Portuguese by birth, but a naturalised Brazilian. That the said barque remained about three months in Bahia Harbour. That appearer heard that the said barque was intended for slaving. On that account several Englishmen, who wished to join the said barque at Bahia, were prevented doing so by the Consul there. That the hatches of the said barque are much larger than usual. That there is a half-deck, formed of planks about three inches thick, not nailed down, nor fastened in any manner. That there are about a dozen small ports or openings on each side, in the lining of the hold. That there are 173 casks on board. That on the "*Sem Igual*" leaving Bahia, she was followed and boarded by Her Britannic Majesty's brigantine "Bonetta," Lieutenant Commander Charles Wake, who overhauled the said barque, and examined the papers, and found all correct. That this took place about seven o'clock in the evening. That many times after leaving Bahia opportunities presented themselves of taking whales, which the master of the said barque did not avail himself of, keeping her, the said barque, under double-reefed topsails and reduced canvass, though the weather was quite fine, thereby preventing the said barque from coming near the whales. That the said barque remained at anchor at Ilheos about three months, and that the master remained on shore during that time. That at sea, when whales were seen, the captain was generally in his cabin playing cards, and made no exertions to take the whales. That the captain said he did not care whether they got whales or not. That appearer heard the captain say that he, the captain, had been several times to the Coast of Africa. That appearer has seen a set of charts of the African coast on board belonging to the captain. That appearer heard it said on board that the said barque was waiting the arrival of a brig from Africa with slaves, in order to receive them from said brig, and endeavour to land them. That it is the belief of appearer that the said barque is intended for slaving, and that he, the appearer, is afraid to remain in her, the said barque, because he is certain that if she falls

in with a British man-of-war at sea, she, the said barque, will be taken as a prize. In testimony whereof I have hereunto set my hand and seal of office the day and year above written.

(Signed) RANDAL CALLANDER,
Her Britannic Majesty's Consul.

Inclosure 3 in No. 76.

Mr. Jerningham to Senhor Paulino de Souza.

Sir, *Rio de Janeiro, February* 17, 1853.

ON the 11th of June last Her Majesty's Minister, Mr. Southern, with a view of contributing useful information to the Imperial Government respecting the intentions of certain slave-dealers resident in Rio Grande, forwarded to your Excellency some details upon that subject.

There were also inclosed to your Excellency, in the same note, extracts of letters from Her Majesty's Consul at Bahia respecting the Brazilian barque "*Sem Igual*," the property of João da Costa, Jun., to which vessel suspicion of slaving projects were said to be attached when she cleared out and sailed from that port on the 24th May last, for a whaling expedition of six months between the Islands of Fernando de Noronha and Santa Catharina.

With reference to this same barque, the "*Sem Igual*," I have lately received a communication from Her Majesty's Consul at Santa Catharina, a copy of which I have the honour inclose to your Excellency, stating that the "*Sem Igual*" had arrived there on the 23rd December last, and is suspected of being intended for the Slave Trade, thus confirming the previous rumours about her.

I take the liberty of also forwarding to your Excellency a certified deposition taken by Her Majesty's Consul, Mr. Callander, of Michael Macdonald, a sailor belonging to the "*Sem Igual*," and a British subject, who accompanied her on this recent whaling expedition, which appears to have been very unsuccessful, although plenty of fish were met with daily, and could have been captured with ease, and who has now intimated that he is afraid to remain any longer on board this barque, as he considers that she is still destined to be employed in slave-trading, and might therefore be possibly taken as a prize by the cruizers.

In making this communication to your Excellency, for the information of the Brazilian Government, I am forced to observe that the confirmed suspicions against the "*Sem Igual*" seem to demand an active inquiry on the part of the Brazilian Government with respect to that ship, and I trust that energetic and successful steps may be taken to anticipate the evil intentions of those individuals who may wish to employ this whaling vessel in the illegal and unchristian Traffic in Slaves.

I avail, &c.
(Signed) WM. STAFFORD JERNINGHAM.

No. 77.

Mr. Jerningham to Lord John Russell.—(*Received April* 17.)

My Lord, *Rio de Janeiro, March* 4, 1853.

I HAVE the honour to transmit to your Lordship the translation of a letter from the Municipal Chamber of the city of Bananal, in the province of St. Paul's, to the Minister of Justice in Rio de Janeiro, inclosing an official representation from that Chamber to the Provincial Government respecting the very serious dangers which are described as existing in that municipality owing to the searches which have been made by the Brazilian Government in that district for the capture of the Africans landed in December last at Bracuhy.

The fears of the community are therein stated to have been aroused by a spirit of insurrection which has shown itself in some plantations; that planters have not been able to check the partial insurbordination of some of their negroes; that others are suffering from the fact of their slaves absconding in whom they had placed confidence; and that these dangers and agitations appear to have been created simply by the presence of an armed force sent to apprehend the newly-imported Africans, who were supposed to be concealed in the vicinity.

Complaints are also made by the planters of the means adopted by the soldiers of procuring informers; that besides pecuniary bribes, the military hold out promises of freedom to the slaves in that district in order to ascertain where the newly imported Africans may be hidden: and on account of this state of things, for the protection of the planters and the peace of the district, the Municipal Chamber requests his Excellency to adopt steps to apply the necessary remedy.

Although there may be some truth respecting the feeling of agitation prevailing in the district above alluded to, and some degree of appehension on the part of the planters, yet it would appear that their statement is greatly exaggerated, and that it may possibly have been trumped up to frighten the Brazilian Government into discontinuing its searches after the Africans, especially as even members of the Municipal Chamber may be interested in a cessation of these police investigations; for I find among the number of planters in the Bananal whom the Brazilian Government intend to prosecute for being connected with the disembarkation of Bracuhy, the name of Pedro Ramos Nogueira, and he is one of those who signed the letter from the Municipal Chamber to the Minister of Justice.

It seems extraordinary that the remedy which the Municipal Chamber proposes to the Provincial Government, as the only obvious one for the peace of the district, is that a suitable force should be left there to protect them when the police have been withdrawn. Now in the letter of the Municipal Chamber to the Minister of Justice it is stated that "all this agitation appears to have been created simply by the presence of the force sent to apprehend the Bracuhy Africans." This is evidently contradictory, as I do not see what difference there ought to be between the police force or any other Brazilian force, for we should suppose them both equally animated with the spirit of justice and the sincere wish to perform their duty; and consequently I must suppose that this piteous representation of the Municipal Chamber of Bananal is a thing got up with the double motive of frightening the Brazilian Government, and of hiding or protecting the evil doings of some of the inhabitants of that part of the province of St. Paul's and its neighbourhood.

I have, &c.
(Signed) WM. STAFFORD JERNINGHAM.

Inclosure in No. 77.

The Municipal Chamber of the City of Bananal to the Minister of Justice.

(Translation.)

Most Illustrious and Excellent Sir,

THE Municipal Chamber of the city of Bananal, in the province of St. Paul's, transmits to your Excellency a copy of an official letter which it addressed to the Government of the province on the 19th instant, relating the very serious dangers which surround this Municipality, resulting from the searches made within its jurisdiction for the capture of the Africans recently disembarked at Bracuhy.

Your Excellency will thereby be apprized of the measures which this Chamber has requested the provincial Government to adopt. Since the date of that representation the Chamber has seen that the fears of the community in general have increased, that the spirit of insurrection has been further developing itself on the plantations, and that it has not been possible for the planters to check the partial insubordination of some of their most audacious slaves; that others are

suffering losses from the absconding of slaves in whom they had placed the greatest trust, and this notwithstanding the extreme vigilance which present necessity forces them to exercise. All these dangers, all this agitation appears not to have been created simply by the presence of the force sent for the purpose of apprehending the Africans. The planters, in general, complain of the means employed by the soldiers for meeting with informers among all the slaves they encounter. It appears that they do not confine themselves to inquire simply after the Africans; and it is said that they employ all means of seduction and deceit, which if true, as it appears to be, must infallibly inspire the slaves with the spirit of insubordination and revolt; besides the pecuniary premiums which they promise, it appears that they also assure the informers that they will be freed. The very slaves to whom these dangerous insinuations and seductions are addressed, are those who come and report the same to their owners, and hence the general belief of the existence of this grievance on the part of the soldiers.

Be it how it may, the danger of our position is a reality, and the very state of terror, even if it were only a panic, is already of itself an evil which it is necessary to remedy.

The Chamber confines itself to the exposition of this threatening situation, without pointing out the required remedy, hoping that your Excellency, in your wisdom, will resolve upon what steps it may be proper to take in this respect.

God preserve, &c.

Palace of the Municipal Chamber of the City of Bananal, in extraordinary session, the 24th January, 1853.

(Signed) MANOEL VENANCIO CAMPOS DA PAZ.
THOMAS DA SILVA PASSOS.
ANTONIO LEME DA SILVA.
LUIS RIBEIRO DE SOUZA.
JOSE ELOY MACHADO.
ANTONIO DE PADUA MACHADO.
PEDRO RAMOS NOGUEIRA.

Representation referred to in the foregoing official Letter.

Most Illustrious and Excellent Sir,

The Municipal Chamber of this city considers it to be its duty to make to your Excellency an exposition of the present state of this Municipality, as regards public tranquillity and security, which claim the most serious attention. The news of a disembarkation of Africans in one of the ports of the province of Rio de Janeiro cannot be unknown to your Excellency, and that they have come into the interior of this province, from whence they have been distributed to divers places, which induced the Imperial Government to adopt energetic measures for their apprehension and the punishment of the criminals. The Government consequently sent here a certain number of police soldiers to be placed at the disposal of the provisional principal Judge of the district. Several searches have been effected on many plantations, and inquiries and examinations are actively continued. The Chamber is of opinion that in all this the Government and the authorities have performed their duty; for it acknowledges that the utmost energy becomes indispensable towards the effective repression of an illegal and barbarous traffic which threatens to perpetuate itself, notwithstanding our solemn engagements and true interests, which are only disowned by those persons who are prepossessed in favour of old habits.

Whatever may happen to be the results of those searches in this Municipality, with respect to the capture of the Africans and the punishment of the guilty persons, it is necessary to take into consideration the real dangers to which the present state of things exposes the public safety and tranquillity of this Municipality, in which there is an extraordinary number of slaves; dangers the prevention of which calls for serious attention. It appears that the presence of the force employed on this service, and the known object of it, has sufficed to awaken in the slave population certain hopes which may produce very evil consequences, and it is certain that some spirit of insubordination is already observable among

the slaves, which it is possible, and is even very much to be feared, may seriously increase on the departure of the force.

Everything induces the belief that an erroneous conviction prevails among the slaves, that the Government protects their pretended right to be freed, and that the only obstacle thereto is the deference of the authorities towards their owners. The language which they hold among themselves, and which has at times been overheard from those residing in this city, and more still among those residing on the large plantations where inquiries and searches have been made, leads to the suspicion that they entertain intentions or perhaps even projects which may produce most melancholy results; and it even appears that upon one of the plantations recently searched, open insubordination has been evinced by some of the most audacious slaves, which, however, has been repressed by rigorous chastisement on the part of their owner.

In such a state of things there are good grounds for the growing apprehensions of the population, and it becomes necessary to apply a remedy. In this case there is obviously only one remedy, and it consists in the presence of a suitable force, so that we may not be left in a state of abandonment when the police have taken their departure. The Chamber suggests that in case it may not be possible to station a detachment here because it may be wanted in other parts of the province, it might, perhaps, be easy to remove the station of the commands from the north to this city, until the serious apprehensions which afflict us shall have vanished; but your Excellency, in taking this exposition into your consideration, will adopt such measures as may be most advisable. In confirmation of all that is above stated, news has just been received of the most positive manifestations of some slaves on two others of the principal plantations in the Municipality. In one of them, twelve slaves, and in the other four slaves, are imprisoned for attempted insubordination; and upon other plantations cases of desertion, principally of those slaves who have come from the northern provinces, are most frightfully multiplied.

Finally, so serious are the apprehensions of the entire community, that the planters have prohibited their slaves from coming to this city, the consequence of which is the scarcity of provisions, which is as oppressive to the inhabitants as if they were residing in a besieged town.

The Chamber, therefore, has recourse to your Excellency for the redress of these evils, and for the guarantee of public security by those measures which your Excellency in your wisdom shall consider expedient; and it trusts that a Municipality which from its importance undoubtedly merits all consideration, will not be allowed to remain unprotected.

God preserve, &c.

Palace of the Municipal Chamber, in extraordinary session, the 19th January, 1853.

(Signed) MANOEL VENANCIO CAMPOS DA PAZ.
THOMAS DA SILVA LISBOA.
ANTONIO DE PADUA MACHADO.
JOSE ELOY MACHADO.
LUIS GOMES NOGUEIRA FRANCO.
LUIS RIBEIRO DE SOUZA.
ANTONIO LEME DA SILVA.

No. 78.

Mr. Jerningham to Lord John Russell.—(Received April 17.)

My Lord, *Rio de Janeiro, March* 4, 1853.

I HAVE the honour to forward to your Lordship the copy and translation of a note which I have received from Senhor Paulino, acquainting me with the total number of Africans who had been apprehended by the Brazilian police authorities since the disembarkation at Bracuhy in December last, and which only amounts as yet to 45 individuals.

The Imperial Government declared that it is not as yet satisfied with this result, nor indeed ought it to be so after the active researches which have been described as having taken place on the estates of certain planters and other

persons in the Bananal, where the Africans were supposed to have been taken to after the landing; and although the Brazilian Government affirms its intention of causing further inquiries to be made into "the conduct of those authorities in whose district the disembarkation was effected, and of prosecuting those who may be criminal or culpable," yet I am not aware that any orders have been issued to search the estates of José Breves, the rich coffee-grower, on whose property the disembarkation took place, and whose influence in that part of the country is as well established as his reputation for being a great slave-dealer is known throughout Brazil.

I have, &c.
(Signed) WM. STAFFORD JERNINGHAM.

Inclosure in No. 78.

Senhor Paulino de Souza to Mr. Jerningham.

(Translation.) *Rio de Janeiro, February* 21, 1853.

SINCE the dates of the communications which I had the honour to transmit to Her Britannic Majesty's Legation relative to the disembarkation of Africans at Bracuhy, I am now happy in being able to acquaint Mr. W. Stafford Jerningham, &c., that on the 16th of last month 11 of those Africans were apprehended, 33 on the 20th, besides one who, having been met with by a private individual, was by him delivered up to the competent authority.

The Imperial Government is not yet satisfied with these captures, notwithstanding the earnestness with which it has prosecuted this purpose, as upon other occasions Her said Majesty's Legation has been informed.

Independent of the orders sent to the different Presidencies of the instructions given to those authorities entrusted with this affair, the Imperial Government has caused inquiry to be made into the conduct of those in whose district the disembarkation was effected, and the prosecution, by such means as are at its disposal, of those who may have been criminal or culpable.

The Imperial Government, confiding in the zeal of the authorities who may continue to be employed in the search, still hopes to obtain more satisfactory results.

I avail, &c.
(Signed) PAULINO JOSE SOARES DE SOUZA.

No. 79.

Mr. Jerningham to Lord John Russell.—(Received April 17.)

My Lord, *Rio de Janeiro, March* 4, 1853.

I BEG to forward to your Lordship a copy of a despatch received from Her Majesty's Consul at Bahia, informing me that two slavers from the Coast of Africa were daily expected to arrive and land their slaves to the northward of that province. Mr. Consul Morgan likewise adds that the Commodore of the Brazilian Naval Station had applied to him in order to gain more exact information concerning the prevailing rumour, but Her Majesty's Consul says that although the Commodore had several small vessels at his disposal, as they were slow sailers, not much success was to be anticipated in capturing the slave ships or preventing disembarkation.

It would seem that Mr. Consul Morgan is also apprehensive of a resuscitation of slave-dealing enterprizes to the Coast of Africa, if a suitable number of cruizers are not maintained to prevent them; and I take the liberty of mentioning

this opinion of Her Majesty's Consul, as it fully coincides with what I had the honour to state in my despatch of the 7th of February last, respecting the expediency of strengthening the British squadron on the coast of Brazil.

I have, &c.

(Signed) WM. STAFFORD JERNINGHAM.

Inclosure in No. 79.

Consul Morgan to Mr. Jerningham.

Sir, *Bahia, February* 19, 1853.

WITH reference to the subject matter of my despatch of 29th December last, I beg to acquaint you that I have received information that two slaver vessels from the coast of Africa are daily expected to arrive to the northward of this province, where an attempt will be made to land slaves on points between Maceio, Cotinguiba, or lower south.

I know the Commodore of the Brazilian Naval Division has likewise obtained some information on this subject, as he has applied to me with the desire of certifying himself of the truth, as he has some small vessels at his disposal, but I understand they are very dull sailers and quite inadequate for the service.

With the apprehension I entertain that although slave-trading appears to be suspended, and has been so for some months past, if we have not an adequate number of cruisers on this division of Bahia, we may, when least expected, hear of several debarkations of slaves without any means being offered to oppose to the ruses of traffickers.

Another small steamer, similar to the "Sharpshooter," would be very useful in assisting Her Majesty's sloop "Express" on this station to foil the designs of the men-stealers.

I have, &c.

(Signed) JOHN MORGAN, u n.

No. 80.

Mr. Jerningham to Lord John Russell.—(*Received April* 17.)

My Lord, *Rio de Janeiro, March* 16, 1853.

I HAVE the honour to forward the copy of a note which I have received from Senhor Paulino, inclosing a communication from the Brazilian Consul-General in Monte Video to his Excellency, informing him of the projects of the "*Paquete Canario*," a Spanish brig which arrived in that port in November last, from the Havana and the Cape de Verd Islands, with a cargo of salt.

It is represented by the Brazilian Consul, that this vessel had intended fitting out in Monte Video for the African Slave Trade; but finding strong opposition on the part of the consignee, her owner resolved to despatch her to some place in "Entre Rios" to load hides and tallow for England, instructing her to call at Cork or Falmouth for orders, according to the charter effected with the English house of Samuel Lafone in Monte Video.

After she has discharged her cargo in England, the "*Canario*" is to proceed in ballast to Cuba, and from thence to the coast of Africa to import slaves into Brazil.

A certain Francisco Riveroza y Urguelles, a Rio merchant, who is absent from this city on account of debts, and who is said to have concealed himself on the estates of the two Breves, is likewise concerned in this speculation.

Senhor Paulino assures me that the Imperial Government will adopt such measures as are within its reach and in conformity with the Brazilian laws to frustrate this projected importation.

I have, &c.

(Signed) WM. STAFFORD JERNINGHAM.

Inclosure 1 in No. 80.

Senhor Paulino de Souza to Mr. Jerningham.

(Translation.) *Rio de Janeiro, March* 14, 1853.

I HAVE the honour to transmit to Mr. W. Stafford Jerningham, &c., the inclosed copy of a despatch dated the 7th instant, which has been addressed to me by the Imperial Consul-General in Monte Video, communicating the information which he has obtained relative to the projects of the Spanish brig "*Paquete Canario*," which he understands is destined for the illegal trade in Africans.

In making this communication to Mr. Jerningham, I hasten to acquaint him that the Imperial Government, on its part, will issue suitable orders for the adoption of such measures as are within its reach, in conformity with the laws of the Empire.

I avail, &c.

(Signed) PAULINO JOSE SOARES DE SOUZA.

Inclosure 2 in No. 80.

The Brazilian Consul-General in Monte Video to Senhor Paulino de Souza.

(Translation.)

Most Illustrious and Excellent Sir, *Monte Video, March* 7, 1853.

I HAVE just been informed that the Spanish brig "*Paquete Canario*," which sailed from the Havana on the of July, 1852, for the Islands of Cape Verd, and arrived in this port at the close of November of last year, with a cargo of salt, came here with the intention of fitting out for the Slave Trade, but meeting here with strong opposition on the part of the consignee, Francisco Susini, and her owner, José Maria Sumar, being apprehensive of being found out, he resolved to send his said brig "*Paquete Canario*" to Santa Clara or Gualiguachú (Entre Rios) to load hides and tallow for England, and to call at Cork or Falmouth for orders, according to the charter effected with the English house of Samuel Lafone of this city.

I have further been informed that the said Sumar has not desisted from his purpose, and that as soon as the vessel has discharged her cargo in England, she is to proceed in ballast to the Island of Cuba, and from thence to the coast of Africa. The slaves to be there received on board are destined for the Empire. It appears that Francisco Riveroza y Urguelles, a merchant of Rio, and residing at No. 180 in the Quitanda Street, is concerned in this speculation.

I shall have the honour to communicate to your Excellency such further information as I may obtain.

God preserve, &c.

(Signed) MANOEL VIEIRA BRAGA.

No. 81.

The Earl of Clarendon to the Chevalier de Macedo.

Foreign Office, May 23, 1853.

THE Earl of Clarendon presents his compliments to the Chevalier de Macedo, and has the honour to inform him that Her Majesty's Government have had under their consideration the draft of a new Treaty between Great Britain and Brazil for the suppression of the Slave Trade, which accompanied the private letter which M. de Macedo addressed to the Earl of Malmesbury on the 19th of August, 1852.

Lord Clarendon begs leave to transmit to M. de Macedo a memorandum explaining, with reference to the Articles of his draft, the grounds upon which Her Majesty's Government feel called upon to object to some of the stipulations contained in that draft, and stating the reasons why they think it important to retain in the new Treaty, provisions for the suppression of the Slave Trade,

similar to those which are to be found in the existing Treaties which were concluded for the like purpose between Great Britain and Spain, and between Great Britain and Portugal. M. de Macedo will also find in the inclosed memorandum, an explanation of some articles which Her Majesty's Government propose to insert in the new Treaty, and which were not in the draft of Treaty presented to the Brazilian Government in 1847, by Lord Howden.

Lord Clarendon likewise transmits herewith, for M. de Macedo's consideration and use, two printed copies of a draft of the new Treaty, drawn up in the form in which Her Majesty's Government propose that it should be concluded between Great Britain and Brazil.

I am, &c.
(Signed) CLARENDON.

Inclosure 1 in No. 81.

Draft of a Treaty for the Suppression of the Slave Trade, proposed to Brazil by Lord Howden, December 21, 1847.

THEIR Majesties the Queen of the United Kingdom of Great Britain and Ireland and the Emperor of Brazil, being earnestly desirous of putting an immediate end to the barbarous and piratical practice of transporting human beings across the sea for the purpose of consigning them to Slavery; and their said Majesties considering that this practice was by the law of Great Britain prohibited in the year 1807, and was afterwards, in the year 1824, declared to be a highly penal crime; and considering that the said practice has likewise been prohibited, under severe penalties, by the law promulgated in Brazil in November 1831; and considering further, that the First Article of the Convention of the 23rd of November, 1826, between Great Britain and Brazil, declared that it should not be lawful, after a period therein named, and since expired, for the subjects of the Emperor of Brazil to be concerned in the carrying on of the African Slave Trade under any pretext or in any manner whatever, and that the carrying on of such trade after that period by any person the subject of His Imperial Majesty, should be deemed and treated as piracy; and their said Majesties being of opinion, that in order the more completely to prevent for the future the perpetration of this crime, and to render more effectual the operation of the laws enacted in each country for its punishment, it will be expedient to establish Regulations of Maritime Police, and to constitute Commissions, to which Regulations and Commissions vessels navi-

Draft of a Treaty for the Suppression of the Slave Trade, sent in by M. de Macedo, in his Confidential Note of the 19th of August, 1852.

[The words in the Brazilian Draft of 1852 which are printed in *Italics* were not in the British Draft of 1847.]

Their Majesties the Emperor of Brazil and the Queen of the United Kingdom of Great Britain and Ireland being earnestly desirous of putting an end to the barbarous practice of transporting *from Africa* human beings across the sea, for the purpose of consigning them to Slavery, and considering that in order the more completely to prevent for the future the perpetration of this crime, and to render more effectual the operation of the laws enacted in each country for its punishment, it will be expedient to establish regulations of maritime police, and to *designate tribunals and establish* Commissions to which vessels navigating under the flag of either Party, and not belonging to the navies of either of the two High Contracting Parties, shall be amenable and subject: their said Majesties have resolved to conclude a Treaty for this purpose, and have accordingly named as their Plenipotentiaries; that is to say,

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gating under the flag of either Party, and not belonging to the navies of either of the two High Contracting Parties, shall be amenable and subject: their said Majesties have resolved to conclude a Treaty for this purpose, and have accordingly named as their Plenipotentiaries, that is to say: Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, &c. &c.

And His Majesty the Emperor of Brazil, &c. &c.

Who, having communicated to each other their respective full powers, found to be in due and proper form, have agreed upon the following Articles:—

ARTICLE I.

The two High Contracting Parties mutually declare to each other, that the infamous and piratical practice of transporting either men, women, or children, by sea, for the purpose of consigning them to Slavery, is, and shall for ever continue to be, a strictly-prohibited and highly penal crime for all the subjects of their respective Crowns, in every part of the world.

ARTICLE II.

In order the more completely to accomplish the object of the present Treaty, the two High Contracting Parties mutually consent that those ships of their navies respectively which shall be provided with special instructions, as hereinafter mentioned, may search such vessels of the two nations as may upon reasonable grounds be suspected of being engaged in transporting men, women, or children, for the purpose of consigning them to Slavery, or of having been fitted out for that purpose, or of having been so employed during the voyage in which they are met by the said cruizers; and the said High Contracting Parties also consent that such cruizers may detain and send or carry away such vessels, in order that they may be brought to trial in the manner hereinafter agreed upon; and in order to fix the reciprocal right of search in such a manner as shall be adapted to the attainment of the objects of this Treaty, and shall at the same time prevent doubts, disputes, and complaints, it is agreed that the said right of search shall

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His Majesty the Emperor of Brazil, Sergio Teixeira de Macedo, &c. &c.

And Her Majesty the Queen of Great Britain and Ireland, &c. &c.

Who, having communicated to each other their respective full-powers, found to be in due and proper form, have agreed upon the following Articles:—

ARTICLE I.

The two High Contracting Parties mutually declare to each other, that the infamous and piratical practice of transporting either men, women, or children by sea, for the purpose of consigning them to Slavery, is and shall ever continue to be a strictly-prohibited and highly penal crime for all the subjects of their respective Crowns, in every part of the world.

ARTICLE II.

In order the more completely to accomplish the object of the present Treaty, the two High Contracting Parties mutually consent that those ships of their navies respectively which shall be provided with special instructions, as hereinafter mentioned, may *search* such vessels of the two nations as may, upon reasonable grounds, be suspected of being engaged in transporting men, women, or children *from Africa*, for the purpose of consigning them to Slavery, or of having been fitted out for that purpose, or of having been so employed during the voyage in which they are met by the said cruizers; and the said High Contracting Parties also consent that such cruizers may detain and send or carry away such vessels, in order that they may be brought to trial in the manner hereinafter agreed upon; and in order to fix the reciprocal right of *search* in such a manner as shall be adapted to the attainment of the objects of this Treaty, and shall, at the same time, prevent doubts, disputes, and complaints, it is agreed that the said right

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be exercised in the manner and according to the rules following:—

First. It shall never be exercised except by vessels of war authorized expressly for that purpose, according to the stipulations of this Treaty.

Secondly. In no case shall the right of search be exercised with respect to a vessel of the Royal or Imperial Navy of either of the two Contracting Powers.

Thirdly. Whenever a vessel is searched by a ship of war, the commander of such ship of war, or other officer thereof employed to make such search, shall, immediately upon coming on board the vessel which is to be so searched, and before he begins the search, exhibit to the person in command of the vessel which is to be searched, the special order by which he is duly authorized to make the search; and he shall deliver to the person in command of the vessel which is to be searched, a certificate signed by himself, in case of the commander so searching such vessel, stating his rank in the naval service of his country, and the name of the ship of war which he commands; and this certificate shall also declare that the only object of the search is to ascertain whether the vessel to be searched is employed in transporting Negroes or others, for the purpose of consigning them to Slavery, or is fitted out for such purpose, or has been so employed during the voyage in which she is met with by the ship of war. And when the search is made by an officer of the cruizer who is not the commander thereof, such officer shall proceed strictly in the same manner as if he were the commander, after having exhibited to the person in command of the vessel to be searched, a copy of the above-mentioned special order signed by the commander of the cruizer; and he shall in like manner deliver a certificate signed by himself, stating his rank in the Royal or Imperial Navy, the name of the commander by whose orders he proceeds to make the search, that of the cruizer in which he sails, and the object of the search, as has been already laid down. If it shall appear from the search that the papers of the vessel are in regular order, and that the vessel is employed for lawful purposes, the officer shall enter in the log-book of the vessel, that the search has been made in pursuance of the aforesaid special order, and the vessel shall be left at liberty to pursue her voyage.

Fourthly. The rank of the officer who

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of *search* shall be exercised in the manner and according to the rules following:

First. It shall never be exercised except by vessels of war, authorized expressly for that purpose, according to the stipulations of this Treaty.

Secondly. In no case shall the right of *search* be exercised with respect to a vessel of the Royal or Imperial Navy of either of the two Contracting Powers.

Thirdly. Whenever a vessel is searched by a ship of war, the commander of such ship of war, or other officer thereof employed to make such search, shall, immediately upon coming on board the vessel which is to be so searched, and before he begins the search, exhibit to the person in command of the vessel which is to be searched, the special order *and the powers mentioned in Article III*, by which he is duly authorized to make the search; and he shall deliver to the person in command of the vessel which is to be searched, a certificate signed by himself, in the case of the commander so searching such vessel, stating his rank in the naval service of his country, and the name of the ship of war which he commands; and this certificate shall also declare that the only object of the search is to ascertain whether the vessel to be searched is employed in transporting *from Africa* Negroes for the purpose of consigning them to Slavery, *or is fitted* out for such purpose, or has been so employed during the voyage in which she is met with by the ship of war; and when the search is made by an officer of the cruizer who is not the commander thereof, such officer shall proceed strictly in the same manner as if he were the commander, after having exhibited to the person in command of the vessel to be searched, a copy of the above-named special order signed by the commander of the cruizer, and he shall in like manner deliver a certificate signed by himself, stating his rank in the Royal or Imperial Navy, the name of the commander by whose orders he proceeds to make the search, that of the cruizer in which he sails, and the object of the search, as has been already laid down. If it shall appear from the search that the papers of the vessel are in regular order, and that the vessel is employed for lawful purposes, the officer shall enter in the log-book of the vessel, that the search has been made in pursuance of the aforesaid special order, and the vessel shall be left at liberty to pursue her voyage.

Fourthly. The rank of the officer who

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makes the search must not be lower than that of Lieutenant of the Royal or Imperial Navy, unless he be the officer who shall at the time be second in command of the searching vessel, or unless the command shall, by reason of death or otherwise, be held by an officer of inferior rank.

Fifthly. The reciprocal right of search and detention shall not be exercised within the Mediterranean Sea, nor within the seas in Europe which lie without the Straits of Gibraltar, and to the northward of the 37th parallel of North latitude, and to the eastward of the meridian of longitude 20° West of Greenwich.

ARTICLE III.

In order to regulate the mode of carrying the provisions of the preceding Article into execution, it is agreed:

First. That all ships of the Royal and Imperial Navies of the two nations which shall be hereafter employed to prevent the transport of Negroes or others, for the purpose of consigning them to Slavery, shall be furnished by their respective Governments with a copy in the English and Portuguese languages of the present Treaty; of the Instructions (A) for cruizers, annexed thereto; and of the Regulations (B) for the Mixed Commissions, annexed thereto; which Annexes respectively shall be considered as an integral part of the Treaty.

Secondly. That each of the High Contracting Parties shall from time to time communicate to the other the names of the several ships furnished with such Instructions, the force of each, and the names of their several commanders, and of the officers second in command. The said commanders ought to hold the rank of Captain, or at least of Lieutenant, in the Royal or Imperial Navy; it

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makes the search must not be lower than that of Lieutenant of the Royal or Imperial Navy, unless he be the officer who shall at the time be second in command of the searching vessel, or unless the command shall, by reason of death or otherwise, be held by an officer of inferior rank.

Fifthly. The reciprocal right of search and detention shall not be exercised within the Mediterranean Sea, nor within the seas in Europe which lie without the Straits of Gibraltar, and to the northward of the 37° parallel of North latitude, and to the eastward of the meridian of longitude 20° West of Greenwich.

ARTICLE III.

In order to regulate the mode of carrying the provisions of the preceding Article into execution, it is agreed:

First. That all ships of the Royal and Imperial Navies of the two nations which shall be hereafter employed to prevent the transport of Negroes *from Africa* for the purpose of consigning them to Slavery, shall be furnished with *the following documents:*

I. A special power from his own Government, and another special power from the other High Contracting Party, giving them the permission to search and detain vessels navigating under their flags; and in order to avoid any delay, the Diplomatic Agent of Her Britannic Majesty at the Court of Brazil, as well as the Brazilian Diplomatic Agent at the Court of England, shall deliver, when asked for, such powers, valuable only for two years, during which period they must be replaced by regular powers from the British Admiralty or from the Brazilian Naval Department.

II. A copy, in the English and Portuguese languages, of the present Treaty, of the Instructions (A) for cruizers annexed thereto, and of the Regulations (B) for the Mixed Commissions, annexed thereto.

Secondly. The commanders *of the ships so empowered to search and detain vessels* ought to hold the rank of Captain, or at least of Lieutenant, in the Royal or Imperial Navy; it being nevertheless understood, that the instructions originally issued to an officer holding the rank of Lieutenant or other superior rank in the navy, shall, in case of the death or *the* temporary absence of the

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being nevertheless understood, that the instructions originally issued to an officer holding the rank of Lieutenant, or other superior rank, in the navy, shall, in case of the death or temporary absence of the same, be sufficient to authorize the officer on whom the command of the vessel shall have devolved, to make the search, although such officer may not hold the aforesaid rank in the service.

Thirdly. That if at any time there shall be just cause to suspect that any vessel sailing under the flag of either nation, and proceeding under the convoy of any ship or ships of war of either of the Contracting Parties, is engaged or is intended to be engaged, in the transport of Negroes or others, for the purpose of consigning them to Slavery, or is fitted out for that purpose, or has during the voyage in which she has been met with, been so employed, it shall be the duty of any commander of any ship of the navy of either of the two High Contracting Parties, furnished with such instructions as aforesaid, to communicate in writing his suspicions to the commander of the convoy; and the said commander of the convoy shall give an acknowledgment in writing, of the said communication; and the said commander of the convoy, accompanied by the commander of the cruizer, shall proceed to search the suspected vessel; and if the suspicions shall prove to be well founded, according to the tenor of this Treaty, then the said vessel shall be conducted or sent by the commander of the convoy to one of the points where the Mixed Commissions are stationed, in order that the vessel may undergo the sentence applicable to her case.

Fourthly. It shall not be lawful to search or detain, under any pretext or motive whatever, any merchant-vessel in any port or roadstead belonging to either of the two High Contracting Parties, or within cannon-shot of the batteries on shore, unless on a written demand for co-operation on the part of the authorities of the country; but should any suspected vessel be met with in such port or roadstead, or within cannon-shot of such batteries, due representation of the same is to be made to the authorities of the country, requesting them to take the necessary measures to prevent the violation of the stipulations of this Treaty; and the said authorities shall proceed to take effectual measures accordingly.

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same, be sufficient to authorize the officer on whom the command of the vessel shall have devolved, to make the search, although such officer may not hold the aforesaid rank in the service.

Thirdly. That if at any time there shall be just cause to suspect that any vessel sailing under the flag of either nation, and proceeding under the convoy of any ship or ships of war of either of the Contracting Parties, is engaged or is intended to be engaged in the transport of Negroes, for the purpose of consigning them to Slavery, or is fitted out for that purpose, or has, during the voyage in which she has been met with, been so employed, it shall be the duty of any commander of any ship of the navy of either of the two High Contracting Parties, furnished with such instructions as aforesaid, to communicate in writing his suspicions to the commander of the convoy, and the said commander of the convoy shall give an acknowledgment in writing of the said communication; and the said commander of the convoy, accompanied by the *said* commander of the cruizer, shall proceed to search the suspected vessel; and if the suspicion shall prove to be well founded, according to the tenor of this Treaty, then the said vessel shall be conducted or sent by the commander of the convoy to one of the points where *trial must take place, according to this Treaty*, in order that the vessel may undergo the sentence applicable to her case.

Fourthly. It shall not be lawful to search or detain, under any pretext or motive whatever, any merchant-vessel in any port or roadstead belonging to either of the two High Contracting Parties, or within cannon-shot of the batteries on shore, unless on a written demand for co-operation on the part of the authorities of the country; but should any suspected vessel be met with in such port or roadstead, or within cannon-shot of such batteries, due representation of the same is to made to the authorities of the country, requesting them to take the necessary measures to prevent the violation of the stipulations of this Treaty; and the said authorities shall proceed to take effectual measures accordingly.

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ARTICLE IV.

As the two preceding Articles are entirely reciprocal, the two High Contracting Parties engage mutually to make good any losses which it may be proved before the Mixed Commission which takes cognizance of the case, that their respective subjects may have incurred by any arbitrary and illegal detention of their vessels; it being understood that this compensation shall be made by the Government whose cruizer shall have been guilty of such arbitrary and illegal detention.

The compensation for damages, of which this Article treats, shall be made within the term of one year, reckoned from the day on which the Mixed Commission shall have pronounced sentence on the vessel for the detention of which such compensation is claimed.

ARTICLE V.

In order to bring to adjudication, with as little delay and inconvenience as possible, the vessels which may be detained according to the tenor of Article II of this Treaty, there shall be established, as soon as may be practicable, two or more Mixed Commissions, formed of an equal number of individuals of the two nations, and named for this purpose by their respective Sovereigns.

Of these Commissions, one-half shall

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ARTICLE IV.

As the preceding Articles are entirely reciprocal, the two High Contracting Parties engage mutually to make good any losses which it may be proved that their respective subjects have incurred by any arbitrary and illegal detention of their vessels; it being understood that this compensation shall be made by the Government whose cruizer shall have been guilty of such arbitrary and illegal detention.

When the decision of the illegality of the detention shall have been given by one of the Mixed Commissions established in Article V of this Treaty, the same Mixed Commission shall immediately determine the amount of the compensation; but when the decision shall have been given by a Brazilian tribunal against an English cruizer, or by a British court against a Brazilian cruizer, the amount of the compensation, and even the right to such compensation, shall be determined by a Special Commission formed of an equal number of individuals of the two nations named by their respective Sovereigns. This Special Commission shall follow in its decisions the same rules established in this Treaty and in the Regulations (B) annexed thereto for the Mixed Commissions; and the individuals composing those Mixed Commissions can be appointed to form the said Special Commission.

The compensation for damages of which this Article treats, shall be made within the term of one year, reckoned from the day on which the Mixed Commission *or the Special Commission* shall shall have pronounced *a decision about the amount of the compensation.*

ARTICLE V.

The vessels detained according to the tenour of this Treaty shall be amenable to and shall be tried by the following tribunals:

If the vessel so detained is English, and has been detained by an English cruizer, no matter where, or if the vessel detained is English and has been detained by a Brazilian cruizer between the African coast and a line running under the thirty-seventh degree West of the meridian of Greenwich, such vessel

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reside in possessions belonging to Her Britannic Majesty, and the other half within the territories of His Majesty the Emperor of Brazil; and the two Governments, at the period of exchanging the ratifications of the present Treaty, shall declare, each for its own dominions, in what places the Commission shall respectively reside. Each of the two High Contracting Parties reserves to itself the right of changing at its pleasure, the place of residence of the Commissions held within its own dominions: provided always, that two at least of the said Commissions shall always be held either on the coast of Africa, or in some of the islands off that coast.

These Commissions shall judge the causes submitted to them according to

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shall be amenable to an English Court of Vice-Admiralty, and for appeal to an English Court of Admiralty, to be tried according to the English laws and to the stipulations of this Treaty.

If the vessel is Brazilian, and has been detained by a Brazilian cruizer, no matter where, or if the vessel detained is Brazilian and has been detained by an English cruizer between the Brazilian coast and the said line running under the thirty-seventh degree West of the meridian of Greenwich, such vessel shall be amenable to the Court of the Auditor da Marinha in Brazil, and for appeal to the Council of State of His Imperial Majesty, to be tried according to the Brazilian laws and to the stipulations of this Treaty.

If the vessel is Brazilian and has been detained by a cruizer, Brazilian or English, between the coast of Africa and the above-mentioned line running under the thirty-seventh degree West of the meridian of Greenwich, and if the vessel is English and has been detained by a cruizer, English or Brazilian, between the coast of Brazil and the above-mentioned line running under the thirty-seventh degree West of the meridian of Greenwich, such vessel shall be amenable to one of the Mixed Commissions to be created in virtue of this Treaty, in order to be tried according to the stipulations of this same Treaty.

Two at least of such Mixed Commissions shall be established, formed of an equal number of individuals of the two nations, and named by their respective Sovereigns.

Of those Commissions one-half shall reside in possessions belonging to Her Britannic Majesty and the other half within the territory of His Majesty the Emperor of Brazil; and the two Governments, at the period of exchanging the ratifications of the present Treaty, shall declare, each for its own dominions, in what places the Commissions shall respectively reside. Each of the two High Contracting Parties reserves to itself the right of changing, *with the agreement of the other Contracting Party*, the place of residence of the Commissions held within its own dominions: provided always, that *one-half* of the said Commissions shall always be held either on the coast of Africa or in some of the islands off that coast.

These Commissions shall judge the causes submitted to them according to

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the provisions of the present Treaty, without appeal, and according to the Regulations and Instructions which are annexed to the present Treaty, and which are considered as forming an integral part thereof.

ARTICLE VI.

If the commanding officer of any of the ships of the Royal or Imperial Navies of Great Britain and Brazil respectively, duly commissioned according to the provisions of Article II of this Treaty, shall deviate in any respect from the stipulations of the said Treaty, or from the Instructions annexed to it, the Government which shall conceive itself to be wronged thereby shall be entitled to demand reparation; and in such case, the Government to which such commanding officer may belong, binds itself to cause inquiry to be made into the subject of the complaint, and to inflict upon the said officer a punishment proportioned to any wilful transgression which he may have committed.

ARTICLE VII.

Any vessel, British or Brazilian, which shall be searched by virtue of the present Treaty, may lawfully be detained, and may be sent or brought before one of the Mixed Commissions established in pursuance of the provisions thereof, if any of the things hereinafter mentioned shall be found in her outfit or equipment, or shall be proved to have been on board during the voyage in which the vessel was proceeding when captured, namely:—

First. Hatches with open gratings, instead of the close hatches which are usual in merchant-vessels.

Secondly. Divisions or bulkheads, in the hold or on deck, in greater number than are necessary for vessels engaged in lawful trade.

Thirdly. Spare plank fitted for being laid down as a second or slave deck.

Fourthly. Slave shackles, or a larger quantity of bolts or handcuffs than is requisite for the use of the vessel as a merchant-vessel.

Fifthly. A larger quantity of water, in casks or in tanks, or in any other receptacles, than is requisite for the consumption of the crew of the vessel as a

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the provisions of the present Treaty, without appeal, and according to the Regulations and Instructions which are annexed to the present Treaty, and which are considered as forming an integral part thereof.

ARTICLE VI.

If the commanding officer of any of the ships of the Royal or Imperial Navies of Great Britain and Brazil respectively, duly commissioned according to the provisions of this Treaty, shall deviate in any respect from the stipulations of the said Treaty, or from the Instructions annexed to it, the Government which shall conceive itself to be wronged thereby shall be entitled to demand reparation; and in such case the Government to which such commanding officer may belong, binds itself to cause inquiry to be made into the subject of the complaint, and to inflict upon the said officer a punishment proportioned to any wilful transgression which he may have committed.

ARTICLE VII.

Any vessel, British or Brazilian, which shall be searched by virtue of the present Treaty, may lawfully be detained, and may be sent or brought before *the tribunals designed in Article V of this Treaty*, in pursuance of the provisions thereof, if the things hereinafter mentioned shall be found in her outfit or equipment, or shall be proved to have been on board during the voyage on which the vessel was proceeding when captured; namely:—

1st. Hatches with open gratings, instead of closed hatches, as used in mercantile vessels.

2nd. Divisions or bulkheads in the hold, or *in the lower* deck, in greater number than is necessary to vessels engaged in legal trade.

3rd. Spare planks prepared for being laid down as a second *lower* deck.

4th. Water in casks or tanks, or in any other sort of vessels, in larger quantity than is required for the consumption of the crew, passengers, and cattle, *in proportion to the voyage.*

5th. *A larger number of* shackles, chains, or handcuffs than is requisite for the use of the *crew* as a merchant-vessel.

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merchant-vessel, or for the consumption of any free passengers, or of any cattle that may be on board the vessel.	
Sixthly. An extraordinary number of water-casks, or of other receptacles for holding liquid, unless the master shall produce a certificate from the custom-house at the place from which he cleared outwards, stating that sufficient security had been given by the owners of such vessel, that such extra quantity of casks, or of other receptacles, should only be used for containing palm-oil or for other purposes of lawful commerce.	6th. A greater quantity of mess-tubs or kids than are requisite for the use of the crew as a merchant-vessel.
Seventhly. A greater quantity of mess-tubs or kids than are requisite for the use of the crew of the vessel as a merchant-vessel.	7th. A boiler or other cooking apparatus of extraordinary size, *or a greater number of boilers than is required by vessels of legal trade.*
Eighthly. A boiler or other cooking apparatus, of an unusual size, and larger, or fitted for being made larger, than requisite for the use of the crew of the vessel as a merchant-vessel, or more than one boiler, or other cooking apparatus, of the ordinary size.	8th. An extraordinary quantity of rice, *Mandioca* flour, Indian corn, *beans, or beef*, visibly exceeding the wants of the crew and passengers, and not declared in the manifest as part of the cargo for trade.
Ninthly. An extraordinary quantity of rice, or of the flour of Brazilian manioc or cassada, commonly called farinha, or of maize, or of Indian corn, or of any other article of food whatever, beyond what might probably be requisite for the use of the crew and of the free passengers and cattle on board; such rice, flour, maize, Indian corn, or other article of food, not being entered on the manifest as part of the cargo for trade.	9th. A quantity of mats or matting *superior to the wants of the people on board.*
Tenthly. A quantity of mats or matting, larger than is necessary for the use of the crew of the vessel as a merchant-vessel.	10*th. The existence of vessels for holding liquids besides those used for the water, when not specially dispatched under bond or guarantee of a licit purpose, or when it is proved that they have not had the use declared at the time they were despatched.* 11*th. Duplicate log-book.* 12*th. The substituting the real captain for a flag or nominal one.* 13*th. The escape of the crew, or the abandonment of the vessel in time of peace, at the sight of a man-of-war or of any authority going on board; the burning or the voluntary damaging of the vessel by the crew.*
Any one or more of these several things, if proved to have been found on board, or to have been on board during the voyage on which the vessel was proceeding when captured, shall be considered as *primâ facie* evidence of the actual employment of the vessel in the transport of Negroes or others, for the	*The detention or the capture of the vessel shall not take place if a single one of the things above mentioned under numbers* 4, 7, 8, *and* 10, *is found not accompanied of any other thing above mentioned, but if two or more of the things mentioned under those numbers* 4, 7, 8, *and* 10, *are found, or*

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purpose of consigning them to Slavery; and the vessel shall thereupon be condemned, and shall be declared lawful prize, unless clear and indisputable evidence on the part of the master or owners shall establish to the satisfaction of the court, that such vessel was at the time of her detention or capture not employed in Slave Trade, and that such of the several things above enumerated as were found on board of her at the time of her detention, or had been on board of her on the voyage on which she was proceeding when captured, were needed on that particular voyage for purposes unconnected with Slave Trade.

ARTICLE VIII.

If any of the things specified in the preceding Article shall be found in the vessel which is detained under the stipulations of this Treaty, or shall be proved to have been on board the vessel during the voyage on which the vessel was proceeding when captured, no compensation for losses, damages, or expenses, consequent upon the detention of such vessel, shall in any case be granted, either to her master or to her owner, or to any other person interested in her equipment or lading, even though the Mixed Commission should not pronounce any sentence of condemnation in consequence of her detention.

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if a single one of the things mentioned under the numbers 1, 2, 3, 5, 6, 9, *and* 11, *is found or is proved to have been on board during the voyage on which the vessel was proceeding, the vessel shall be detained and brought before the Tribunals, Courts, or Mixed Commissions stated in Article V, and those Tribunals, Courts, or Mixed Commissions shall consider the existence of such things on board as* primâ facie *evidence* of the actual employment of the vessel in the transport of Negroes for the purpose of consigning them to Slavery, and the vessel shall be declared lawful prize.

ARTICLE VIII.

Notwithstanding the stipulations of the preceding Article, the existence on board of one or more of the things therein mentioned, shall not subject the vessel to detention, if such vessel has obtained the permission or licence to have them on board for being destined to the transport of colonists or emigrants, or to any other legal speculation requiring the existence on board of such things.

If the vessel is Brazilian, or if she starts from a Brazilian port, such permission must be obtained in the following way:

A petition must be presented to the Auditor da Marinha, to justify the necessity of having on board such things. The Auditor da Marinha shall never receive such justifications unless the name of the proprietor and of the captain of the vessel, or of the chartering party, if any, are declared in the petition, and unless at least the proprietor of the said vessel and party chartering it, if any, are persons of good reputation and not suspected of being interested in the Slave Trade, to ascertain which, besides the informations which he is bound to seek by himself, the Auditor shall call and examine known and credible witnesses.

Before a decision is taken with regard to such justification, the Auditor da Marinha shall cause the names of the proprietor, captain, and party chartering the vessel, to be published in the public newspapers, declaring at the same time the things constituting legal presumption of engagement in the Slave Trade, the permission for which

British Draft of 1847.

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is required, and also that such publication is made in order that those who may have reasons to suspect that the vessel in question is intended to carry on the Slave Trade, may come forward.

The decision of the Auditor da Marinha giving to a vessel the permission to carry such things for lawful purposes shall be published in the newspapers, and this publication, as well as that before alluded to, shall be added to the original process and to the copy kept in the office.

Having obtained an authenticated certificate of the decision of the Auditor da Marinha, the party making the justification shall with such certificate apply for the permission required to the Ministry of Justice, if the decision has been given by the General Auditory of Marine at Rio de Janeiro, or to the President of the province in which it may have been given by the Auditor da Marinha residing in the province.

The licence or permission shall contain the names of the vessel, proprietor, and chartering party, if any; a declaration of the voyage and its purpose; the things allowed; the time during which the licence will be valid (never more than two years), with the express condition that it shall be considered *ipso facto* without effect, if the name of the vessel is changed, or if the proprietor or party chartering it is changed, in which cases a new justification in the Auditory of Marine shall precede the renewal of the licence.

If the vessel is English, or if she starts from an English port, the licence to carry on board such things declared in the Seventh Article as proofs of her destination to carry slaves, shall be given by a similar proceeding by

ARTICLE IX.

In all cases in which a vessel shall be detained under this Treaty by the respective cruizers of the Contracting Parties, as having been engaged in transporting Negroes or others, for the purpose of consigning them to slavery, or as having been fitted out for that purpose, and shall in consequence be adjudged and condemned by the Mixed Commissions to be established as aforesaid, either of the two Governments may purchase the condemned vessel for the use of its Royal or Imperial Navy, at a

ARTICLE IX.

In all cases in which a vessel shall be detained under this Treaty by the respective cruizers of the Contracting Parties, as having been engaged in transporting Negroes, for the purpose of consigning them to slavery, or as having been fitted out for that purpose, and shall in consequence be adjudged and condemned by *competent tribunals or courts or* Mixed Commissions, either of the two Governments may purchase the condemned vessel for the use of its Royal or Imperial Navy, at a price to be

British Draft of 1847.

price to be fixed upon by a competent person, to be chosen by the Court of Mixed Commission for that purpose; but the Government whose cruizer shall have detained the condemned vessel, shall have the first choice of purchasing her; and if the condemned vessel shall not be so purchased, the said vessel shall, with as little delay as possible, be broken up entirely, and shall be sold in separate parts after having been so broken up.

ARTICLE X.

When any vessel shall have been declared good prize by one of the Mixed Commissions, the captain, pilot, crew, and passengers found on board the said vessel shall be immediately placed at the disposal of the Government of the country to which such vessel belonged, to be tried and punished according to the laws of that country. In the like manner, the owner of the vessel, the persons interested in the equipment and cargo, and their several agents, shall be tried and punished according to the laws of their respective countries. These criminals, as respects Great Britain, shall be tried and punished according to the statute in force in regard to such offenders; and as respects Brazil, according to the Law of the 7th of November, 1831; and the two High Contracting Parties bind themselves to adopt all due means to cause their respective laws to be rigidly enforced against all such offenders.

ARTICLE XI.

The two High Contracting Parties solemnly bind themselves to guarantee the liberty of the Negroes or others who may be emancipated under the present Treaty by the Mixed Commissions established under it; and as the condition of Slavery has been abolished by law in every part of the dominions of the British Crown, it is agreed that all Negroes or others intended to be consigned to Slavery, who shall be found on board of a vessel detained by a cruizer, whether British or Brazilian, in conformity with the stipulations of this Treaty, shall be given over to British authorities, to be conveyed to some British territory, in order to be there placed in the permanent enjoy-

Brazilian Draft of 1852.

fixed upon by a competent person to be chosen by *the tribunal, court, or* Mixed Commission for that purpose; but the Government whose cruizers shall have detained the condemned vessel shall have the first choice of purchasing her; and if the condemned vessel shall not be so purchased, the said vessel shall, with as little delay as possible, be broken up entirely, and shall be sold in separate parts after having been so broken up.

ARTICLE X.

When any vessel shall have been declared good prize, the captain, pilot, crew, and passengers found on board the vessel, shall be immediately placed at the disposal of the Government of the country to which such vessel belonged, to be tried and punished according to the laws of that country.

In the like manner the owner of the vessel, the persons interested in the equipment and cargo, and their several agents, shall be tried and punished according to the laws of their respective countries; and the two High Contracting Parties bind themselves to adopt all due means to cause their respective laws to be rigidly enforced against all such offenders.

ARTICLE XI.

The two High Contracting Parties solemnly bind themselves to guarantee the liberty of the Negroes who may be emancipated under the present Treaty. *If they are in the Brazilian Territory, they shall be re-exported to Africa by the Brazilian Government at its own cost.*

British Draft of 1847.

ment of their freedom. And the British Government engages to afford from time to time, and whenever demanded by the Government of Brazil, the fullest information as to the state and condition of all such persons, so long as they shall remain in the British Dominions.

ARTICLE XII.

The Acts or Instruments annexed to this Treaty, and which it is mutually agreed shall form an integral part thereof, are as follows:

A. Instructions for the ships of the Royal and Imperial Navies of the two nations employed to prevent the transport of Negroes or others for the purpose of consigning them to Slavery.

B. Regulations for the Mixed Commissions.

ARTICLE XIII.

The present Treaty shall be ratified, and the ratifications shall be exchanged at at the expiration of from the date of its signature, or sooner, if possible.

In witness whereof the respective Plenipotentiaries have signed, in duplicate originals, English and Portuguese, the present Treaty, and have thereunto affixed the seal of their arms.

Done at the day of in the year of our Lord 18 .

Brazilian Draft of 1852.

ARTICLE XII.

The Acts or Instruments annexed to this Treaty, and which it is mutually agreed shall form an intregal part thereof, are as follows:

A. Instructions for the ships of the Royal and Imperial Navies of the two nations employed to prevent the transport of Negroes for the purpose of consigning them to Slavery.

B. Regulations for the Mixed Commissions.

ARTICLE XIII.

The present Treaty shall last for ten years, during which period it can be newly examined and reconsidered, and its duration prolonged if the High Contracting Parties think that its object is not yet obtained by the entire suppression of the infamous Traffic it is destined to extinguish.

The present Treaty shall be ratified, and the ratifications shall be exchanged at the expiration of from the date of its signature, or sooner, if possible.

In witness whereof the respective Plenipotentiaries have signed, in duplicate originals, English and Portuguese, the present Treaty, and have thereunto affixed the seals of their arms.

Inclosure 2 in No. 81.

Memorandum respecting Brazilian Counter-Project of Treaty for the Suppression of the Slave Trade, inclosed in M. de Macedo's Letter of August 19, 1852.

THE words omitted by M. de Macedo from the preamble to the British draft of Treaty which was proposed in 1847, relate principally to the 1st Article of the Treaty of the 23rd of November, 1826, between Great Britain and Brazil, by which Brazil contracted towards Great Britain a permanent engagement to the following effect, namely: that after the expiration of three years, to be reckoned from the exchange of the ratifications of that Convention, it should not be lawful

for the subjects of the Emperor of Brazil to be concerned in carrying on the African Slave Trade, and that the carrying on of such trade after that period by any subject of the Emperor of Brazil should be deemed and treated as piracy.

Her Majesty's Government are entitled to expect that the existence of the above Treaty stipulation, as an engagement permanently binding upon Brazil, should be formally recorded as being the basis of any new Treaty which may be concluded between Great Britain and Brazil for the suppression of the Slave Trade; and words to that effect ought either to be inserted in the preamble or to form an Article of the Treaty.

ARTICLE III.

M. de Macedo proposes to insert in this Article a new regulation, providing that all ships of the British and Brazilian navies shall be furnished with special powers from each Government, authorizing them to search and detain vessels navigating under their respective flags, which powers are only to be in force for two years; and it is proposed that before the expiration of that period those provisional powers shall be replaced by regular powers issued by the Admiralties of the two countries.

If such a regulation were to be adopted, the operations of the British cruizers might be frequently interrupted, and they might be rendered useless if the Brazilian authorities should, for any reasons which they might not explain, refuse to issue a regular warrant to a British vessel already on her cruizing ground, just at the time when her provisional warrant might be about expiring.

No such regulation is contained in the Treaties for the suppression of the Slave Trade which Great Britain has concluded with Spain and with Portugal, and there is no manifest reason why it should be introduced into the proposed Treaty with Brazil.

M. de Macedo has omitted from this Article the stipulation in the draft proposed by Her Majesty's Government to the Brazilian Government in 1847, which provides that the instructions for cruizers and the regulations for the Mixed Commissions are to be considered as an integral part of the Treaty.

This stipulation as to annexes is usually contained in Treaties which have annexes, and there seems to be no ground for omitting it here, where the annexes are first mentioned; and besides, it is retained in the XIIth Article of M. de Macedo's draft.

ARTICLE IV.

The insertion which M. de Macedo proposes to introduce into this Article is intended to meet the new stipulation which he proposes to insert in Article V, whereby all captures of Brazilian vessels made between the 37th degree of west longitude and the coast of Brazil are to be adjudicated by a Brazilian tribunal.

With regard to this proposal on the part of Brazil, it appears to Her Majesty's Government that the determination taken by the Brazilian Government in 1845 to abolish the adjudication of Slave Trade cases by Courts of Mixed Commission, and to leave those cases to be dealt with by the Brazilian tribunals, was one of the principal causes of the large increase in the importation of negroes from Africa into Brazil, and of the subsequent disputes between the two Governments; and Her Majesty's Government are of opinion that if they were to assent to the principle of adjudication by any other Courts except Mixed Commission Courts, the result would be that the Brazilian flag would be assumed by the slave-traders of all nations, and that fresh differences would arise between Great Britain and Brazil; and they therefore regard the adoption of Mixed Commission Courts as an indispensable condition in any new Treaty with Brazil for the suppression of the Slave Trade.

ARTICLE VII.

M. de Macedo has altered the Equipment Clauses so as to make them correspond in their numerical order and in their contents with the similar clauses in

the Brazilian Law, Cap. III, of October 14, 1850. He has also proposed a new stipulation with regard to the four clauses numbered in his Draft 4, 7, 8, and 10, respecting extra water, extra boilers, superabundant provisions, and an excess of receptacles for holding liquids. By this stipulation it is proposed that the transgression of any one of the four clauses in question shall not be sufficient to render a vessel liable to detention, but that for this purpose two or more such transgressions must be combined.

This modification of the previously existing Treaty stipulations upon these matters is objectionable, because it would afford increased facilities to the slave captains for evading the Equipment Clauses; and besides, as Her Majesty's Government have declined to accede to the proposal of adjudication by a Brazilian tribunal, there will be no apparent ground for the adoption in this Treaty of the words of the Brazilian Law of 1850.

ARTICLE VIII.

This is an entirely new Article, and corresponds with the provisions of the Brazilian law above referred to. It is intended to provide for the possibility of emigrant vessels or others requiring extra quantities of things mentioned in the Equipment Clauses; but this contingency is provided for in Article VII of the Draft of 1847, which stipulates that the master or owners of a vessel detained for a breach of the Equipment Clauses are at liberty to prove to the satisfaction of the Mixed Court that the things prohibited by the Equipment Clauses, and found on board of their vessel, were needed on the particular voyage for purposes unconnected with Slave Trade.

The Draft of 1847 contains an Article (No. 8) which provides that if any of the things specified in the Equipment Clauses shall be found in the detained vessel, no compensation for losses, damages, or expenses, consequent upon the detention of such vessel, shall in any case be granted, even though the Mixed Commission should not pronounce any sentence of condemnation in consequence of her detention. This Article is omitted in M. Macedo's Draft, but it is indispensably requisite, not only for the protection of *bonâ fide* captors, but also for the prevention of frauds on the part of the slave-dealers. It is referred to in Article VII of Annex (B), containing the regulations for the Mixed Commissions, which Annex is adopted in the Brazilian draft now under consideration. (See Article XII.)

ARTICLE X.

The Article in the British Draft of 1847, which corresponds with this Article of the present Brazilian Draft, provides that persons belonging to condemned slave-vessels, and their owners and agents, shall, "as respects Great Britain, be tried and punished according to the statute in force in regard to such offenders; and as respects Brazil, according the Law of the 7th of November, 1831." The part marked with inverted commas is omitted in M. de Macedo's Draft; but Her Majesty's Government are of opinion that the clause ought to be retained, with the addition, however, of a reference to the new Brazilian Law of 1850.

ARTICLE XI.

The Article in the British Draft of 1847 which corresponds with this Article, stipulates that all negroes found on board of a vessel detained by a cruizer, whether British or Brazilian, shall be given over to British authorities, to be conveyed to some British territory, in order to be there placed in the permanent enjoyment of their freedom.

In M. de Macedo's Article, Brazil merely engages to guarantee the liberty of the negroes who may be emancipated under the Treaty, and it is therein stated that if the negroes are "in the Brazilian territory, they shall be re-exported to Africa by the Brazilian Government at its own cost."

From a marginal observation in the draft of Treaty transmitted by M. de Macedo, it would appear that he supposed that Her Majesty's Government had

at some time consented to adopt and embody in a Treaty such a stipulation as the above with regard to any negroes who might in future be liberated under sentence of a Mixed Commission Court; but this supposition seems to be unsupported by the facts. In December 1850, Lord Palmerston assented to a proposal that certain negroes should be sent by the Brazilian Government to Liberia; that proposal, however, related not to any negroes who might be adjudicated upon in future, but to those Africans who, having been captured by British and Brazilian cruizers, were emancipated by the Mixed Commission at Rio de Janeiro before 1845, but were in 1850 still practically held in bondage.

A Convention respecting this matter was proposed by Mr. Hudson to the Brazilian Government in February 1851, but was declined at that time by the Brazilian Minister for Foreign Affairs; and it does not appear that M. Macedo has made any allusion to that Convention. Her Majesty's Government are of opinion that Article XI of the British Draft of 1847 should be inserted without alteration in the new Treaty now under consideration; and they also think it necessary that the regulations as to negroes entitled to claim their liberation, which were proposed to the Brazilian Government in 1851, should be embodied in the new Treaty. (See Article XII of the accompanying Draft.)

ARTICLE XIII.

Article XIII of M. Macedo's Draft provides that the Treaty is only to last for ten years; Her Majesty's Government proposes (See Article XV of accompanying Draft) that either party shall have the right of terminating the Treaty at any time, on giving to the other six months' notice of its wish to that effect; and that so long as the present Treaty remains in force, the operation of the British Act of Parliament, which was passed in 1845 for the purpose of carrying into execution the Treaty of 1826, between Great Britain and Brazil, should be suspended. (See Article XIV of accompanying Draft.)

Inclosure 3 in No. 81.

Draft of a Treaty for the Suppression of the Slave Trade.

THEIR Majesties the Queen of the United Kingdom of Great Britain and Ireland, and the Emperor of Brazil, being earnestly desirous of putting an immediate end to the barbarous and piratical practice of transporting human beings across the sea for the purpose of consigning them to Slavery; and their said Majesties considering that this practice was by the law of Great Britain prohibited in the year 1807, and was afterwards, in the year 1824, declared by law to be a highly penal offence; and considering that the said practice has likewise been prohibited, under severe penalties, by the laws promulgated in Brazil on the 7th of November, 1831, and on the 4th of September, the 14th of October, and the 14th of November, 1850; and considering further, that by the permanent stipulations of the Ist Article of the Convention of the 23rd of November, 1826, between Great Britain and Brazil, it is provided that it should not be lawful, after a period therein named, and since expired, for the subjects of the Emperor of Brazil to be concerned in the carrying on of the African Slave Trade under any pretext or in any manner whatever, and that the carrying on of such trade after that period by any person the subject of His Imperial Majesty, should be deemed and treated as piracy; and their said Majesties being of opinion, that in order the more completely to prevent for the future the perpetration of this offence, and to render more effectual the operation of the laws enacted in each country for its punishment, it will be expedient to establish Regulations of Maritime Police, and to constitute Commissions, to which Regulations and Commissions vessels navigating under the flag of either Party, and not belonging to the navies of either of the two High Contracting Parties, shall be amenable and subject: their said Majesties have resolved to conclude a Treaty for this purpose, and have accordingly named as their Plenipotentiaries, that is to say: Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, &c. &c.

And His Majesty the Emperor of Brazil, &c. &c.

Who, having communicated to each other their respective full powers, found to be in due and proper form, have agreed upon the following Articles :—

ARTICLE I.

The two High Contracting Parties mutually declare to each other, that the infamous and piratical practice of transporting either men, women, or children by sea, for the purpose of consigning them to Slavery, is, and shall for ever continue to be, a strictly-prohibited and highly penal offence for all the subjects of their respective Crowns, in every part of the world.

ARTICLE II.

In order the more completely to accomplish the object of the present Treaty, the two High Contracting Parties mutually consent that those ships of their navies respectively which shall be provided with special instructions, as hereinafter mentioned, may search such vessels of the two nations as may upon reasonable grounds be suspected of being engaged in transporting men, women, or children, for the purpose of consigning them to Slavery, or of having been fitted out for that purpose, or of having been so employed during the voyage in which they are met by the said cruizers; and the said High Contracting Parties also consent that such cruizers may detain and send or carry away such vessels, in order that they may be brought to trial in the manner hereinafter agreed upon; and in order to fix the reciprocal right of search in such a manner as shall be adapted to the attainment of the objects of this Treaty, and shall at the same time prevent doubts, disputes, and complaints, it is agreed that the said right of search shall be exercised in the manner and according to the rules following:—

First. It shall never be exercised except by vessels of war authorized expressly for that purpose according to the stipulations of this Treaty.

Secondly. In no case shall the right of search be exercised with respect to a vessel of the Royal or Imperial Navy of either of the two Contracting Powers.

Thirdly. Whenever a vessel is searched by a ship of war, the commander of such ship of war, if he shall search such vessel in person, shall, immediately upon coming on board the vessel which is to be so searched, and before he begins the search, exhibit to the person in command of the vessel which is to be searched, the special order by which he is duly authorized to make the search; and he shall deliver to the person in command of the vessel which is to be searched, a certificate signed by himself, stating his rank in the naval service of his country, and the name of the ship of war which he commands; and this certificate shall also declare that the only object of the search is to ascertain whether the vessel to be searched is employed in transporting Negroes or others for the purpose of consigning them to Slavery, or is fitted out for such purpose, or has been so employed during the voyage in which she is met with by the ship of war. And when the search is made by an officer of the cruizer who is not the commander thereof, such officer shall proceed strictly in the same manner as if he were the commander, after having exhibited to the person in command of the vessel to be searched, a copy of the above-mentioned special order signed by the commander of the cruizer; and he shall in like manner deliver a certificate signed by himself, stating his rank in the Royal or Imperial Navy, the name of the commander by whose orders he proceeds to make the search, that of the cruizer in which he sails, and the object of the search, as has been already laid down. If it shall appear from the search, that the papers of the vessel are in regular order, and that the vessel is employed for lawful purposes, the officer shall enter in the log-book of the vessel, that the search has been made in pursuance of the aforesaid special order, and the vessel shall be left at liberty to pursue her voyage.

Fourthly. The rank of the officer who makes the search must not be lower than that of Lieutenant of the Royal or Imperial Navy, unless he be the officer who shall at the time be second in command of the searching vessel; or unless the command shall, by reason of death or otherwise, be held by an officer of inferior rank.

Fifthly. The reciprocal right of search and detention shall not be exercised

within the Mediterranean Sea, nor within the seas in Europe which lie without the Straits of Gibraltar, and to the northward of the 37th parallel of North latitude, and to the eastward of the meridian of longitude 20° West of Greenwich.

ARTICLE III.

In order to regulate the mode of carrying the provisions of the preceding Article into execution, it is agreed :

First. That all ships of the Royal and Imperial Navies of the two nations which shall be hereafter employed to prevent the transport of Negroes or others, for the purpose of consigning them to Slavery, shall be furnished by their respective Governments with a copy in the English and Portuguese languages of the present Treaty ; of the Instructions (A) for cruizers, annexed thereto ; and of the Regulations (B) for the Mixed Commissions, annexed thereto ; which Annexes respectively shall be considered as an integral part of the Treaty.

Secondly. That each of the High Contracting Parties shall from time to time communicate to the other the names of the several ships furnished with such Instructions, the force of each, and the names of their several commanders, and of the officers second in command. The said commanders ought to hold the rank of Captain, or at least of Lieutenant, in the Royal or Imperial Navy ; it being nevertheless understood, that the instructions originally issued to an officer holding the rank of Lieutenant, or other superior rank, in the navy, shall, in case of the death or temporary absence of the same, be sufficient to authorize the officer on whom the command of the vessel shall have devolved, to make the search, although such officer may not hold the aforesaid rank in the service.

Thirdly. That if at any time there shall be just cause to suspect that any vessel sailing under the flag of either nation, and proceeding under the convoy of any ship or ships of war of either of the Contracting Parties, is engaged or is intended to be engaged in the transport of Negroes or others, for the purpose of consigning them to Slavery, or is fitted out for that purpose, or has, during the voyage in which she has been met with, been so employed, it shall be the duty of any commander of any ship of the navy of either of the two High Contracting Parties, furnished with such instructions as aforesaid, to communicate in writing his suspicions to the commander of the convoy ; and the said commander of the convoy shall give an acknowledgment in writing, of the said communication ; and the said commander of the convoy, accompanied by the commander of the cruizer, shall proceed to search the suspected vessel ; and if the suspicions shall prove to be well founded, according to the tenor of this Treaty, then the said vessel shall be conducted or sent by the commander of the convoy to one of the places where the Mixed Commissions are stationed, in order that the vessel may undergo the sentence applicable to her case.

Fourthly. It shall not be lawful to search or detain, under any pretext or motive whatever, any merchant-vessel in any port or roadstead belonging to either of the two High Contracting Parties, or within cannon-shot of any batteries on shore, unless on a written request on the part of the authorities of the country ; but should any suspected vessel be met with in such port or roadstead, or within cannon-shot of such batteries, due representation of the same is to be made to the authorities of the country, requesting them to take the necessary measures to prevent the violation of the stipulations of this Treaty ; and the said authorities shall proceed to take effectual measures accordingly.

ARTICLE IV.

As the two preceding Articles are entirely reciprocal, the two High Contracting Parties engage mutually to make good any losses which it may be proved before the Mixed Commission which takes cognizance of the case, that their respective subjects may have incurred by any unwarranted detention of their vessels ; it being understood that this compensation shall be made by the Government whose cruizer shall have been guilty of such unwarranted detention.

The compensation for damages, of which this Article treats, shall be made within the term of one year, reckoned from the day on which the Mixed Commission shall have pronounced sentence on the vessel for the detention of which such compensation is claimed.

ARTICLE V.

In order to bring to adjudication, with as little delay and inconvenience as possible, the vessels which may be detained according to the tenor of Article II of this Treaty, there shall be established, as soon as may be practicable, two or more Mixed Commissions, formed of an equal number of individuals of the two nations, and named for this purpose by their respective Sovereigns.

Of these Commissions, one-half shall reside in possessions belonging to Her Britannic Majesty, and the other half within the territories of His Majesty the Emperor of Brazil; and the two Governments, at the period of exchanging the ratifications of the present Treaty, shall declare, each for its own dominions, in what places the Commission shall respectively reside. Each of the two High Contracting Parties reserves to itself the right of changing, with the consent of the other Contracting Party, the place of residence of the Commissions held within its own dominions.

These Commissions shall judge the causes submitted to them according to the provisions of the present Treaty, without appeal, and according to the Regulations and Instructions which form Annex (B) to the present Treaty, and which are considered as forming an integral part thereof.

ARTICLE VI.

If the commanding officer of any of the ships of the Royal or Imperial Navies of Great Britain and Brazil respectively, duly authorized according to the provisions of Articles II and III of this Treaty, shall deviate in any respect from the stipulations of the said Treaty, or from the Instructions annexed to it under letter (A), the Government which shall conceive itself to be wronged thereby shall be entitled to demand reparation; and in such case, the Government to which such commanding officer may belong, binds itself to cause inquiry to be made into the subject of the complaint, and to inflict upon the said officer a punishment proportioned to any wilful transgression which he may have committed.

ARTICLE VII.

Any vessel, British or Brazilian, which shall be searched by virtue of the present Treaty, may lawfully be detained, and may be sent or brought before one of the Mixed Commissions established in pursuance of the provisions thereof, if any of the things hereinafter mentioned shall be found in her outfit or equipment, or shall be proved to have been on board during the voyage in which the vessel was proceeding when captured, namely:—

First. Hatches with open gratings, instead of the close hatches which are usual in merchant-vessels.

Secondly. Divisions or bulkheads, in the hold or on deck, in greater number than are necessary for vessels engaged in lawful trade.

Thirdly. Spare plank fitted for being laid down as a second or slave-deck.

Fourthly. Slave-shackles, or a larger quantity of bolts or handcuffs than is requisite for the use of the vessel as a merchant-vessel.

Fifthly. A larger quantity of water, in casks or in tanks, or in any other receptacles, than is requisite for the consumption of the crew of the vessel as a merchant-vessel, or for the consumption of any free passengers, or of any cattle that may be on board the vessel.

Sixthly. An extraordinary number of water-casks, or of other receptacles for holding liquid, unless the master shall produce a certificate from the custom-house at the place from which he cleared outwards, stating that sufficient security had been given by the owners of such vessel, that such extra quantity of casks, or of other receptacles, should only be used for containing palm-oil or for other purposes of lawful commerce.

Seventhly. A greater quantity of mess-tubs or kids than are requisite for the use of the crew of the vessel as a merchant vessel.

Eighthly. A boiler or other cooking apparatus, of an unusual size, and larger,

or fitted for being made larger, than requisite for the use of the crew of the vessel as a merchant-vessel, or more than one boiler, or other cooking apparatus, of the ordinary size.

Ninthly. An extraordinary quantity of rice, or of the flour of Brazilian manioc or cassada, commonly called farinha, or of maize, or of Indian corn, or of any other article of food whatever, beyond what might probably be requisite for the use of the crew and of the free passengers and cattle on board; such rice, flour, maize, Indian corn, or other article of food, not being entered on the manifest as part of the cargo for trade.

Tenthly. A quantity of mats or matting, larger than is necessary for the use of the crew of the vessel as a merchant-vessel.

Eleventhly. False log-books.

Any one or more of these several things, if proved to have been found on board, or to have been on board during the voyage on which the vessel was proceeding when captured, shall be considered as *primâ facie* evidence of the actual employment of the vessel in the transport of Negroes or others, for the purpose of consigning them to Slavery; and the vessel shall thereupon be condemned, and shall be declared lawful prize, unless clear and indisputable evidence on the part of the master or owners, shall establish to the satisfaction of the Court that such vessel was at the time of her detention or capture not employed in Slave Trade, and that such of the several things above enumerated as were found on board of her at the time of her detention, or had been on board of her on the voyage on which she was proceeding when captured, were needed on that particular voyage for purposes unconnected with Slave Trade.

It is further agreed that vessels shall be in like manner liable to seizure and condemnation, with respect to which it shall be proved: either first, that a nominal master has been substituted for the real one; or secondly, that the crew has escaped from or abandoned the vessel in time of peace on the approach of a man-of-war or of any other lawful and recognized authority; or thirdly, that the vessel has been burnt or wilfully damaged by the crew.

ARTICLE VIII.

If any of the things specified in the preceding Article shall be found in the vessel which is detained under the stipulations of this Treaty, or shall be proved to have been on board the vessel during the voyage on which the vessel was proceeding when captured, no compensation for losses, damages, or expenses, consequent upon the detention of such vessel, shall in any case be granted, either to her master or her owner, or to any other person interested in her equipment or lading, even though the Mixed Commission should not pronounce any sentence of condemnation in consequence of her detention.

ARTICLE IX.

In all cases in which a vessel shall be detained under this Treaty by the respective cruizers of the Contracting Parties, as having been engaged in transporting Negroes or others, for the purpose of consigning them to Slavery, or as having been fitted out for that purpose, and shall in consequence be adjudged and condemned by the Mixed Commissions to be established as aforesaid, either of the two Governments may purchase the condemned vessel for the use of its Royal or Imperial Navy, at a price to be fixed upon by a competent person, to be chosen by the Court of Mixed Commission for that purpose; but the Government whose cruizer shall have detained the condemned vessel, shall have the first choice of purchasing her; and if the condemned vessel shall not be so purchased, the said vessel shall, with as little delay as possible, be broken up entirely, and shall be sold in separate parts after having been so broken up.

ARTICLE X.

When any vessel shall have been declared good prize by one of the Mixed Commissions, the captain, pilot, crew, and passengers found on board the said

vessel shall be immediately placed at the disposal of the Government of the country to which such vessel belonged, to be tried and punished according to the laws of that country. In the like manner, the owner of the vessel, the persons interested in the equipment and cargo, and their several agents, shall be tried and punished according to the laws of their respective countries. These criminals, as respects Great Britain, shall be tried and punished according to the law in force in regard to such offenders; and as respects Brazil, according to the laws of the 7th of November, 1831, and of the 4th of September, 14th of October, and 14th of November, 1850; and the two High Contracting Parties bind themselves to adopt all due means to cause their respective laws to be rigidly enforced against all such offenders.

ARTICLE XI.

The two High Contracting Parties solemnly bind themselves to guarantee the liberty of the Negroes or others who may be emancipated under the present Treaty by the Mixed Commissions established under it; and as the condition of Slavery has been abolished by law in every part of the dominions of the British Crown; and as it is declared by the Brazilian Law of November 7, 1831, that all slaves entering the territory or the ports of Brazil from abroad are free; it is agreed that all Negroes or others intended to be consigned to Slavery, who shall be found on board of a vessel detained by a cruizer, whether British or Brazilian, in conformity with the stipulations of this Treaty, shall be given over to British authorities, to be conveyed to some British territory, in order to be there placed in the permanent enjoyment of their freedom. And the British Government engages to afford from time to time, and whenever demanded by the Government of Brazil, the fullest information as to the state and condition of all such persons, so long as they shall remain in the British Dominions.

ARTICLE XII.

The two High Contracting Parties, having found that notwithstanding the stipulations of the Convention for the Suppression of the Slave Trade, which was concluded on the 23rd of November, 1826, between Great Britain and Brazil, and notwithstanding the Penal Law which was promulgated in Brazil in 1831, negroes have been and still continue to be, imported from Africa into Brazil, and are there held in slavery, contrary to the letter and spirit of the said Convention, and in violation of the said Law; it is hereby agreed, that within six months from the ratification of this Treaty, a Mixed Commission shall be established at Rio de Janeiro, formed of an equal number of individuals of each of the two nations, named by their respective Sovereigns, which Commission shall adjudge without appeal, the causes submitted to it, according to the Regulations which are annexed to the present Treaty, and which are considered as forming an integral part thereof; and His Majesty the Emperor of Brazil engages, within six weeks after the exchange of the ratifications of this Treaty, to promulgate a decree, giving authority to the Mixed Commission to enforce the execution of its decisions in accordance with the provisions contained in the Regulations which form Annex (C) to the present Treaty.

ARTICLE XIII.

The Acts or Instruments annexed to this Treaty, and which it is mutually agreed shall form an integral part thereof, are as follows:

(*A.*) Instructions for the ships of the Royal and Imperial Navies of the two nations employed to prevent the transport of Negroes or others, for the purpose of consigning them to Slavery.

(*B.*) Regulations for the Mixed Commissions.

(*C.*) Regulations referred to in Article XII.

ARTICLE XIV.

Her Britannic Majesty hereby engages that, so long as the present Treaty shall remain in force, Her Majesty's Government will not exercise the powers conferred on them by the British Act of Parliament passed on the 8th of August, 1845, for the purpose of carrying into execution the Treaty for the abolition of the African Slave Trade, which was concluded between Great Britain and Brazil on the 23rd of November, 1826.

ARTICLE XV.

Either of the two High Contracting Parties shall have the right of terminating the present Treaty at any time, on giving to the other six months' notice of its wish to that effect; and it is agreed that at the expiration of six months after such notice shall have been received by either party from the other, in the manner hereinafter described, the present Treaty, and all the stipulations contained therein, shall cease to be binding on the two Parties.

If such notice should be given by Her Britannic Majesty, it must be delivered to the Brazilian Government by Her Britannic Majesty's Minister or Chargé d'Affaires at Rio de Janeiro; and if it should be given by the Emperor of Brazil, it must be delivered to the British Government by the Brazilian Minister or Chargé d'Affaires at London.

And in case of such notice being given, it is hereby mutually understood and agreed, that all suits and proceedings, whether civil, criminal, or of whatsoever nature, commenced under or by virtue of any of the provisions of this Treaty before the expiration of the said six months, shall be prosecuted to a termination under the authority of this Treaty, in like manner as if the Treaty had not been terminated pursuant to notice.

ARTICLE XVI.

The present Treaty shall be ratified, and the ratifications shall be exchanged at at the expiration of from the date of its signature, or sooner, if possible.

In witness whereof the respective Plenipotentiaries have signed, in duplicate originals, English and Portuguese, the present Treaty, and have thereunto affixed the seal of their arms.

Done at the day of in the year of our Lord 18 .

ANNEX (A)

To the Treaty between Great Britain and Brazil, upon Slave Trade, of the day of , 18

Instructions for the ships of the British and Brazilian Royal and Imperial Navies employed to prevent the Traffic in Slaves.

ARTICLE I.

The commander of any ship belonging to the Royal British or Imperial Brazilian Navy, who shall be furnished with these instructions, shall have a right to search and detain, except within the limits excepted in Article II of the Treaty, any British or Brazilian vessel which shall be actually engaged, or shall be suspected to be engaged, in transporting negroes or others for the purpose of consigning them to Slavery, or be fitted out with such view, or to have been so

employed during the voyage on which she may be met with by such ship of the British or Brazilian Navy; and such commander shall thereupon bring or send such vessel, as soon as possible, for judgment before that one of the Mixed Commissions established in virtue of Article V of the said Treaty, which shall be the nearest to the place of detention, or which such commander shall, upon his own responsibility, judge can be soonest reached from such place.

ARTICLE II.

Whenever a ship, either of the Royal or Imperial Navies, duly authorized as aforesaid, shall meet a vessel liable to be searched under the provisions of the said Treaty, the search shall be conducted in the mildest manner, and with every attention which ought to be observed between allied and friendly nations; and the search shall in all cases be made by an officer holding a rank not lower than that of Lieutenant in the Navies of Great Britain and Brazil respectively, unless the command shall, by reason of death or otherwise, be held by an officer of inferior rank, or unless the officer who makes the search shall at the time be second in command of the ship by which such search is made.

ARTICLE III.

The commander of any ship of the Royal or Imperial Navies, duly authorized as aforesaid, who may detain any vessel in pursuance of the tenor of the present Instructions, shall, at the time of detention, draw up in writing an authentic declaration, which shall exhibit the state in which he found the detained vessel; which declaration shall be signed by himself, and shall be given in or sent, together with the captured vessel, to the Mixed Commission before which such vessel shall be carried or sent for adjudication. He shall deliver to the master of the detained vessel a signed certificate of the papers seized on board the same, as well as of the number of slaves found on board at the moment of detention.

In the authenticated declaration which the captor is hereby required to make, as well as in the certificate of the papers seized, he shall insert his own name, the name of the capturing ship, the latitude and longitude of the place where the detention shall have been made, and the number of slaves found on board the vessel at the time of the detention, and an account of the prohibited things, or of the circumstances which formed the grounds of such detention.

When the commander of the cruizer shall not think proper to take upon himself to carry in and deliver up the detained vessel, he shall not intrust that duty to an officer below the rank of Lieutenant in the Navy, unless it be to the officer who at the time shall not be lower than third in command of the detaining ship.

The officer in charge of the vessel detained shall, at the time of bringing the vessel's papers before the Mixed Commission, deliver in to the Court a paper, signed by himself and verified on oath, stating any changes which may have taken place in respect to the vessel, her crew, the slaves, if any, and her cargo or fittings, between the period of her detention and the time of delivering in such papers.

ARTICLE IV.

No part of the crew, or passengers, or of the cargo, or of the slaves found on board the vessel seized, shall be withdrawn from it, until the said vessel shall have been delivered over to one of the Mixed Commissions; unless the transfer of the whole or part of the crew or passengers, or of the whole or part of the slaves found on board, should be considered necessary, either to preserve their lives, or for any other humane consideration, or for the safety of the persons charged with the conduct of the vessel after its seizure; in which case the commander of the cruizer, or the officer charged with the said seized vessel, shall draw out a certificate, in which he shall declare the reasons of the said transfer; and the commanders, sailors, or passengers, thus transferred, shall be conducted to the same port as the vessel and its cargo.

The Undersigned Plenipotentiaries have agreed, in conformity with Article XII of the Treaty signed by them on this day, the of 18 , that the preceding Instructions, consisting of four Articles, shall be annexed to the said Treaty, and shall be considered an integral part thereof.

The day of 18

ANNEX (B)

To the Treaty between Great Britain and Brazil, upon Slave Trade, of the day of , 18

Regulations for the Mixed Commissions which are to adjudge the cases of vessels under the Treaty between Great Britain and Brazil, upon Slave Trade, of the day of , 18

ARTICLE I.

The Mixed Commissions to be established under the provisions of the Treaty, of which these Regulations are declared to be an integral part, shall be composed in the following manner:—

Each of the two High Contracting Parties shall name a commissioner and an arbitrator, who shall be authorized to hear and to decide, without appeal, all cases of the capture or detention of vessels which, in pursuance of the stipulations of the aforesaid Treaty, shall be brought before them. The commissioners and the arbitrators shall, before entering upon the duties of their office, respectively make oath before the principal magistrate of the places in which such Commissions respectively shall reside, that they will judge fairly and faithfully; that they will have no preference, either for the claimants or the captors; and that they will act, in all their decisions, in pursuance of the stipulations of the aforesaid Treaty.

There will be attached to each of such Commissions, a secretary or registrar, who shall be appointed by the Sovereign in whose territories such Commission shall reside. Such secretary or registrar shall register all the acts of such Commission, and shall, previously to entering upon his office, make oath before the Commission to which he is appointed, that he will conduct himself with due respect for its authority, and will act with fidelity and impartiality in all matters relating to his said office.

The salary of the secretary or registrar of the Commissions which are to be established in the dominions of Her Britannic Majesty, shall be paid by Her said Majesty; and that of the secretary or registrar of the Commissions which are to be established in the possessions of Brazil, shall be paid by His Majesty the Emperor of Brazil.

Each of the Governments shall defray half of the aggregate amount of the incidental expenses of such Commissions.

ARTICLE II.

The expenses incurred by the officer charged with the reception, maintenance, and care of the detained vessel, slaves, and cargo, and with the execution of the sentence; and all disbursements occasioned by bringing a vessel to adjudication; shall, in case of condemnation, be defrayed from the funds arising from the sale of the materials of the vessel, after the same shall have been broken up, of the vessel's stores, and of such part of the cargo as shall consist of merchandize; and in case the proceeds arising from this sale should not prove sufficient to defray such expenses, the deficiency shall be made good by the Government of the country within whose territories the adjudication shall have taken place.

If the detained vessel shall be released, the expenses occasioned by bringing her to adjudication shall be defrayed by the captor; excepting in the cases specified and otherwise provided for under Article VIII of the Treaty to which these Regulations form an annex, and under Article VII of these Regulations.

ARTICLE III.

The Mixed Commissions are to decide upon the legality of the detention of such vessels as the cruizers of either nation shall, in pursuance of the said Treaty, detain.

These Commissions shall judge definitively, and without appeal, all questions which shall arise out of the capture and detention of such vessels.

The proceedings of these Commissions shall take place with as little delay as possible; and, for this purpose, the Commissions are required to decide each case, as far as may be practicable, within the space of twenty days, to be counted from the day on which the detained vessel shall be brought into the port where the deciding Commission shall reside.

The final sentence shall not, in any case, be delayed beyond the period of two months, either on account of the absence of witnesses, or for any other cause; except upon the application of any of the parties interested; in which case, upon such party or parties giving satisfactory security, that they will take upon themselves the expense and risk of the delay, the Commissions may, at their discretion, grant an additional delay not exceeding four months.

Either party shall be allowed to employ such counsel as he may think fit, to assist him in the conduct of his case.

The proceedings of the said Commissions shall be open to the public; and the essential parts of the proceedings of the said Commissions shall be written down in the language of the country in which the Commissions shall respectively reside.

ARTICLE IV.

The form of the proceedings shall be as follows:—

The Commissioners appointed by the two Governments respectively shall, in the first place, examine the papers of the detained vessel, and take the depositions of the master or commander, and two or three, at least, of the principal individuals on board of such vessel; as well as the declaration, on oath, of the captor, should such declaration appear necessary, in order to enable them to judge and pronounce whether the said vessel has been justly detained or not, according to the stipulations of the aforesaid Treaty; and in order that the vessel may be condemned or released accordingly.

In the event of the two Commissioners not agreeing as to the sentence which they ought to pronounce in any case brought before them, either with respect to the legality of the detention, the liability of the vessel to condemnation, or the indemnification to be allowed, or as to any other question which may arise out of the said capture; or if any difference of opinion should arise between them as to the mode of proceeding in the said Commission, they shall draw by lot the name of one of the two arbitrators so appointed as aforesaid; which arbitrator, after having considered the proceedings which have taken place, shall consult with the two above-mentioned Commissioners; and the final sentence or decision shall be pronounced conformably to the opinion of the majority of the three.

ARTICLE V.

If the detained vessel shall be restored by the sentence of the Commission, the vessel and her cargo, in the state in which they shall then be found, shall forthwith be given up to the master, or to the person who represents him; and such master or other person may, before the same Commission, claim to have a valuation made of the amount of the damages which he may have a right to demand. The captor himself, and in his default his Government, shall remain

responsible for the damages to which the master of such vessel, or the owners of the vessel or of her cargo, may be pronounced to be entitled.

The two High Contracting Parties bind themselves to pay, within the term of a year from the date of the sentence, the costs and damages which may be awarded by the above-mentioned Commission; it being mutually understood and agreed, that such costs and damages shall be made good by the Government of the country of which the captor shall be a subject.

ARTICLE VI.

If the detained vessel shall be condemned, she shall be declared lawful prize, together with her cargo, of whatever description it may be, with the exception of the negroes or others who shall have been brought on board for the purpose of being consigned to Slavery; and the said vessel, in conformity with the Regulations in Article IX of the Treaty of this date, shall, as well as her cargo, be sold by public sale, for the profit of the two Governments, subject to the payment of the expenses hereinbefore mentioned.

The slaves shall receive from the Commission a certificate of emancipation; and shall be delivered over to the British authorities, to be dealt with according to the stipulations of Article XI of the Treaty of this date.

The charges incurred for the support and for the return voyage of the commanders and crews of condemned vessels, shall be defrayed by the Government of which such commanders and crews are the subjects.

ARTICLE VII.

The Mixed Commissions shall also take cognizance of, and shall decide definitively and without appeal, all claims for compensation on account of losses occasioned to vessels and cargoes which shall have been detained under the provisions of this Treaty, but which shall not have been condemned as legal prize by the said Commissions; and in all cases wherein restitution of such vessels and cargoes shall be decreed, save as mentioned in Article VIII of the Treaty to which these Regulations form an Annex, and in a subsequent part of these Regulations, the Commissions shall award to the claimant or claimants, or to his or their lawful attorney or attorneys, for his or their use, a just and complete indemnification for all costs of suit, and for all losses and damages which the owner or owners may have actually sustained by such capture and detention, that is to say:—

First. In case of total loss, the claimant or claimants shall be indemnified,—

a. For the ship, her tackle, equipment, and stores.

b. For all freights due and payable

c. For the value of the cargo of merchandize, if any, deducting all charges and expenses payable upon the sale of such cargo, including commission of sale.

d. For all other regular charges in such case of total loss.

Secondly. In all other cases, save as hereinafter mentioned, not of total loss, the claimant or claimants shall be indemnified,—

a. For all special damages and expenses occasioned to the ship by the detention, and for loss of freight, when due or payable.

b. For demurrage, when due, according to the Schedule annexed to the present Article.

c. For any deterioration of the cargo.

d. For all premium of insurance on additional risks.

The claimant or claimants shall be entitled to interest at the rate of 5 per cent. per annum, on the sum awarded, until such sum is paid by the Government to which the capturing ship belongs. The whole amount of such indemnification shall be calculated in the money of the country to which the

detained vessel belongs, and shall be liquidated at the exchange current at the time of the award.

The two High Contracting Parties, however, have agreed that if it shall be proved to the satisfaction of the Commissioners of the two nations, and without having recourse to the decision of an arbitrator, that the captor has been led into error by the fault of the master or commander of the detained vessel, the detained vessel in that case shall not have the right of receiving, for the time of her detention, the demurrage stipulated by the present Article; nor any other compensation for losses, damages, or expenses, consequent upon such detention.

Schedule of demurrage or daily allowance for a vessel of

Tons.					Tons.				
100	to 120	inclusive	£5	per diem	201	to 220	inclusive	£11	per diem
121	150	„	6	„	221	250	„	12	„
151	170	„	8	„	251	270	„	14	„
171	200	„	10	„	271	300	„	15	„

and so on in proportion.

ARTICLE VIII.

Neither the commissioners, nor the arbitrators, nor the secretaries of the Commissions, shall demand or receive from any of the parties concerned in the cases which shall be brought before the Commissions, any emolument or gift, under any pretext whatsoever, for the performance of the duties which such commissioners, arbitrators, or secretaries, have to perform.

ARTICLE IX.

When the parties interested shall imagine they have cause to complain of any evident injustice on the part of the Mixed Commissions, they may represent it to their respective Governments, who reserve to themselves the right of mutual correspondence for the prevention of such injustice for the future.

ARTICLE X.

The two High Contracting Parties have agreed that, in the event of the death, sickness, absence on leave, or any other legal impediment, of one or more of the commissioners or arbitrators composing the above-mentioned Commissions respectively, the post of such commissioners or of such arbitrators shall be supplied, *ad interim*, in the following manner:—

Firstly. On the part of Her Britannic Majesty, and in those Commissions which shall sit within the possessions of Her said Majesty,—if the vacancy be that of the British Commissioner, his place shall be filled by the British arbitrator; and either in that case, or if the vacancy be originally that of the British arbitrator, the place of such arbitrator shall be filled, successively, by the Governor or Lieutenant-Governor resident in such possessions; by the principal magistrate of the same; and by the secretary of the Government: and the said Commissions, so constituted as above, shall sit, and, in all cases brought before them for adjudication, shall proceed to adjudge the same, and to pass sentence accordingly.

Secondly. On the part of Great Britain, and in those Commissions which shall sit within the possessions of His Majesty the Emperor of Brazil, if the vacancy be that of the British commissioner, his place shall be filled by the British arbitrator; and either in that case, or if the vacancy be originally that of the British arbitrator, his place shall be filled, successively, by the British Consul and British Vice-Consul, if there be a British Consul or British Vice-Consul appointed to and resident in such possessions; and if the vacancy be

both of the British commissioner and of the British arbitrator, then the vacancy of the British commissioner shall be filled by the British Consul, and that of the British arbitrator by the British Vice-Consul, if there be a British Consul and British Vice-Consul appointed to and resident in such possessions; and if there shall be no British Consul or Vice-Consul to fill the place of British arbitrator, then the Brazilian arbitrator shall be called in, in those cases in which a British arbitrator, if there were any, would be called in; and if the vacancy be both of the British commissioner and the British arbitrator, and there be neither British Consul nor British Vice-Consul to fill, *ad interim*, the vacancies,—then the Brazilian commissioner and Brazilian arbitrator shall sit, and, in all cases brought before them for adjudication, shall proceed to adjudge the same, and to pass sentence accordingly.

Thirdly. On the part of Brazil, and in those Commissions which shall sit within the possessions of His Majesty the Emperor of Brazil,—if the vacancy be that of the Brazilian commissioner, his place shall be filled by the Brazilian arbitrator; and either in that case, or if the vacancy be originally that of the Brazilian arbitrator, the place of such arbitrator shall be filled, successively, by the highest civil authority resident in such possessions; by the principal magistrate of the same; and by the secretary of the Government: and the said Commission, so constituted as above, shall sit, and, in all cases brought before them for adjudication, shall proceed to adjudge the same, and pass sentence accordingly.

Fourthly. On the part of Brazil, and in those Commissions which shall sit within the possessions of Her Britannic Majesty,—if the vacancy be that of the Brazilian commissioner, his place shall be filled by the Brazilian arbitrator; and either in that case, or if the vacancy be originally that of the Brazilian arbitrator, his place shall be filled, successively, by the Brazilian Consul and Brazilian Vice-Consul, if there be a Brazilian Consul and Brazilian Vice-Consul appointed to and resident in such possessions; and if the vacancy be both of the Brazilian commissioner and of the Brazilian arbitrator, then the vacancy of the commissioner shall be filled by the Brazilian Consul, and that of the Brazilian arbitrator by the Brazilian Vice-Consul, if there be a Brazilian Consul and a Brazilian Vice-Consul appointed to and resident in such possessions; and in the case in which there be no Brazilian Consul or Brazilian Vice-Consul to fill the place of Brazilian arbitrator, then the British arbitrator shall be called in, in those cases in which a Brazilian arbitrator, were there any, would be called in; and in case the vacancy be both of the Brazilian commissioner and Brazilian arbitrator, and there be neither Brazilian Consul nor Brazilian Vice-Consul to fill, *ad interim*, the vacancies, then the British commissioner and arbitrator shall sit, and in all cases brought before them for adjudication, shall proceed to adjudge the same, and pass sentence accordingly.

The highest civil authority of the settlement wherein either of the Mixed Commissions shall sit, in the event of a vacancy arising either of the commissioner or the arbitrator of the other High Contracting Party, shall forthwith give notice of the same to the highest civil authority of the nearest settlement of such other High Contracting Party, in order that such vacancy may be supplied at the earliest possible period; and each of the High Contracting Parties agrees to supply definitively, as soon as possible, the vacancies which may arise in the above-mentioned Commissions from death, or from any other cause whatever.

ARTICLE XI.

The Mixed Commissions shall transmit annually to each Government a report relating to the cases which have been brought before them for adjudication.

The Undersigned Plenipotentiaries have agreed, in conformity with Article XII of the Treaty signed by them on this day, the of 184 , that the preceding Regulations, consisting of eleven Articles, shall be annexed to the said Treaty, and considered as an integral part thereof.

The day of , 18

ANNEX (C).

To the Treaty between Great Britain and Brazil upon Slave Trade, of the 1853.

Regulations for the proceedings and the formation of the Mixed Commission to be established at Rio de Janeiro, for the purpose of hearing and deciding the cases of Negroes in Brazil, claiming their freedom.

ARTICLE I.

The Mixed Commission to be established at Rio de Janeiro under these Regulations, is hereby authorized to receive information upon oath, to the effect that grounds of suspicion exist that negroes imported from Africa and legally entitled to their freedom, are detained as slaves in Brazil; and the said Mixed Commission, upon receiving such information, is hereby empowered and enjoined to summon before it such negroes, and the persons assuming to be the owners of such negroes, and all other individuals apparently concerned in or having knowledge of the transaction in question; and the said Mixed Commission is further empowered and enjoined to examine all such persons on oath touching the said transaction; and if, upon examination made into the matter, proof shall not be given to the satisfaction of the said Mixed Commission, that the negroes alleged to have been imported from Africa and to be entitled to their freedom were born in Brazil, or were imported into Brazil before the 13th of March, 1830, the said Commission shall declare such negroes to be entitled to their freedom, and such negroes shall be absolutely set free at the end of two years from the date of the sentence of the said Commission. Such negroes shall, immediately upon such sentence being given, be registered as emancipados in a register to be kept for that purpose; and in order to guard against accidents, such register shall be kept in triplicate, one copy thereof to be deposited in the office where the Mixed Commission is held, one copy to be confided to the custody of Her Britannic Majesty's Commissioner, and the other copy to be kept in the custody of the Commissioner of His Majesty the Emperor of Brazil.

Such negroes shall then be taken under the care of the Brazilian Government, and they shall be absolutely free at the end of the above-mentioned term of two years.

In the meanwhile and during those two years, such negroes shall be properly instructed, so that they may be in a condition to earn their subsistence as artisans, mechanics, or servants, when the two years of their instruction shall have expired; and in the intermediate time they shall not be let out on hire, nor shall they be placed at a greater distance from Rio de Janeiro than ten miles.

During the aforesaid period of two years, there shall be an annual inspection made of each negro emancipated under these Regulations. Such inspection shall be made by two persons of known probity and humanity, who shall be selected and appointed for that purpose by the Mixed Commission, and who shall formally report to the said Commission the result of each examination. One of the two examiners so to be appointed shall be selected by the Commissioner of Her Britannic Majesty, and the other by the Commissioner of His Majesty the Emperor of Brazil. The persons so appointed may, under the sanction of the Commission, employ such other persons as may be necessary to assist them in the execution of this duty.

ARTICLE II.

If it should appear that any of the negroes emancipated and registered under the provisions of these Regulations, are qualified to be immediately set free without requiring any further instruction for the purpose of enabling them to earn their livelihood, the Brazilian Government may set such negroes absolutely free at any time during the above-mentioned period of two years.

ARTICLE III.

A certificate of the decree of emancipation shall be given to each negro so emancipated, and shall be considered sufficient proof of such negro's freedom; but to provide against the loss, or destruction, or absence of such certificate, the record of the sentence of the Mixed Commission, in the register to be kept as stipulated in Article I, shall equally be considered proof of such negro's freedom.

ARTICLE IV.

If the owner or owners of the negroes said to be wrongfully held in bondage shall, upon the first summons of the Commission, refuse or demur to appear before the Commission either in person or by others in their behalf, the Commission shall summon the parties a second time; and if this second summons should not be effectual, the Commission shall, after the expiration of a proper interval of time, not longer than a month, summon the parties a third time; and if the parties do not obey either of the three summonses, the Court shall, notwithstanding the absence of such owner or owners, or other persons in their behalf, proceed to adjudge the cause, and to decide whether or not the negroes who are alleged to be wrongfully held in bondage shall be set free; and the decision of the Commission in such case shall be held good and valid, notwithstanding the absence of the parties, and shall be carried into effect accordingly.

ARTICLE V.

The Mixed Commission to be established under these Regulations shall be composed in the following manner.

Each of the two High Contracting Parties shall name a Commissioner and an Arbitrator who shall, before entering upon the duties of their office, respectively make oath before the principal magistrate of Rio de Janeiro, that they will judge fairly and faithfully, and that they will act, in all their decisions, in pursuance of the stipulations of the preceding Articles.

The salaries of the British Commissioner and Arbitrator shall be paid by Her Britannic Majesty; and the salaries of the Brazilian Commissioner and Arbitrator shall be paid by His Majesty the Emperor of Brazil.

There shall be attached to the Mixed Commission a Secretary or Registrar, who shall be appointed by the Emperor of Brazil. The Secretary or Registrar shall register all the acts of the Commission, and shall, previously to entering upon his office, make oath before the Commission to which he is appointed, that he will conduct himself with due respect for its authority, and will act with fidelity and impartiality in all matters relating to his said office.

The salary of the Secretary or Registrar shall be 500*l.* sterling per annum, and it shall be paid in equal moieties by Her Britannic Majesty and His Imperial Majesty.

Each of the Governments shall defray half of the aggregate amount of the incidental expenses of the Commission.

ARTICLE VI.

The expenses incurred in the investigation of the case of any negro supposed to be illegally held in slavery, shall, if he is declared free, be defrayed by the person claiming to be his owner.

If the negro shall be declared not to be entitled to freedom, the expenses occasioned by bringing the case to adjudication, shall be charged in the incidental expenses of the Mixed Commission.

ARTICLE VII.

The Commission shall judge definitively, and without appeal, all questions which shall arise in regard to the operation of these Regulations.

The proceedings of the Commission shall take place with as little delay as possible; and for this purpose the Commission shall decide each case, as far as may be practicable, within the space of fourteen days, to be counted from the day on which the negro whose freedom is claimed shall be produced before the Mixed Commission.

Any party concerned in the case, shall be allowed to employ such counsel as he may think fit to assist him in the conduct of his cause.

The proceedings of the said Mixed Commission shall be open to the public, and all the essential parts of the proceedings of the said Commission shall be written down in the Portuguese language.

ARTICLE VIII.

The form of the process shall be as follows:

The Commissioners appointed by the two Governments respectively, shall in the first place examine the negro supposed to be illegally held in slavery; they shall then take the deposition on oath of the person assuming to be the owner of such negro, and of all other individuals apparently concerned in or having knowledge of the fact of the negro having been holden in slavery, in order to enable the said Commissioners to judge and pronounce whether the said negro has been legally detained in slavery or not; and in order that the negro may or may not be declared free accordingly.

In the event of the two Commissioners not agreeing as to the sentence which they ought to pronounce in any case brought before them; or if any difference of opinion should arise between them as to the mode of proceeding in the said Commission, they shall draw by lot the name of one of the two Arbitrators so appointed as aforesaid; which Arbitrator, after having considered the proceedings which have taken place, shall consult with the two above-mentioned Commissioners; and the final sentence or decision shall be pronounced conformably to the opinion of the majority of the three.

ARTICLE IX.

If the detained negro shall not be declared by the sentence of the Commission to be free, he shall forthwith be given up to his alleged master, or to the person who represents such master, and such master or other person may, before the same Commission, claim to have a valuation made of the amount of the damages which he may have a right to demand on account of the loss of the negro's services; and for the expense incurred by him in conducting the cause.

The two High Contracting Parties bind themselves to pay within the term of a year from the date of the sentence, the costs and damages which may be awarded by the above-mentioned Commission; it being mutually understood and agreed that such costs and damages shall be made good in equal moieties by the two Governments.

ARTICLE X.

Neither the Commissioners, nor the Arbitrators, nor the Secretary of the Commission, shall demand or receive from any of the parties concerned in the cases which shall be brought before the Commission, any emolument, gift, or fee, under any pretence whatsoever, for the performance of the duties which such Commissioners, Arbitrators, or Secretary have to perform.

ARTICLE XI.

When the parties interested in any case brought before the Mixed Commission shall imagine that they have cause to complain of any evident injustice on the part of the Commission, they may represent it to their respective Governments, who reserve to themselves the right of mutual correspondence for the prevention of any such injustice.

ARTICLE XII.

The two High Contracting Parties have agreed that, in the event of the death, sickness, absence on leave, or any other legal impediment, of one or more of the Commissioners or Arbitrators composing the above-mentioned Commission, the post of such Commissioners or of such Arbitrators shall be supplied *ad interim* in the following manner:

First, on the part of Great Britain; if the vacancy be that of the British Commissioner, his place shall be filled by the British Arbitrator; and either in that case, or if the vacancy be originally that of the British Arbitrator, the place of the British Arbitrator shall be filled successively by the British Consul and by the British Vice-Consul, if there be a British Consul or British Vice-Consul appointed to and resident at Rio de Janeiro: and if the vacancy be both of the British Commissioner and of the British Arbitrator, then the vacancy of the British Commissioner shall be filled by the British Consul, and that of the British Arbitrator by the British Vice-Consul, if there be a British Consul and British Vice-Consul appointed to and resident in Rio de Janeiro: and if there shall be no British Consul or Vice-Consul to fill the place of British Arbitrator when the British Arbitrator is absent, or to fill the place of British Commissioner when the British Commissioner and Arbitrator are both absent, or to fill the places of British Commissioner and Arbitrator when the British Commissioner and Arbitrator are both absent, then Her Britannic Majesty's Minister or Chargé d'Affaires at Rio de Janeiro shall select and appoint some fit and proper person to act as British Commissioner, who, after having taken the oath prescribed by Article V of these Regulations shall proceed to act as British Commissioner accordingly; and in case of any difference of opinion occurring between such Acting British Commissioner and the Brazilian Commissioner, then Her Majesty's Minister or Chargé d'Affaires at Rio de Janeiro shall select and appoint some other fit and proper person to act as British Arbitrator, who, after having taken the oath prescribed by Article V of these Regulations, shall proceed to act as British Arbitrator accordingly.

Secondly. On the part of Brazil, if the vacancy be that of the Brazilian Commissioner, his place shall be filled by the Brazilian Arbitrator; and either in that case, or if the vacancy be originally that of the Brazilian Arbitrator, and if any difference of opinion should occur between the Brazilian Commissioner and the British Commissioner, or Acting Commissioner, then the place of the Brazilian Arbitrator shall be filled by some fit and proper person to be selected by the Brazilian Government; and if the vacancy be both of the Brazilian Commissioner and of the Brazilian Arbitrator, then the vacancy of the Brazilian Commissioner shall be filled by some fit and proper person to be selected by the Brazilian Government, who, after having taken the oath prescribed by Article V of these Regulations, shall proceed to act as Brazilian Commissioner accordingly: and in case of any difference of opinion occurring between such Acting Brazilian Commissioner and the British Commissioner or Acting Commissioner, then the Brazilian Government shall select and appoint some other fit and proper person to act as Brazilian Arbitrator, who, after having taken the oath prescribed by Article V of these Regulations, shall proceed to act as Brazilian Arbitrator accordingly; and the said Commission, so constituted as above, shall sit, and in all cases brought before them for adjudication, shall proceed to adjudge the same, and pass sentence accordingly.

Each of the High Contracting Parties agrees to supply definitively, as soon as possible, the vacancies which may arise in the above-mentioned Commission from death, or from any other cause whatever.

ARTICLE XIII.

The Mixed Commission shall transmit annually to each Government a report relating—

1. To the cases which have been brought before them for adjudication;
2. To the state of the negroes declared free by the Commission;
3. To every information which they may be able to obtain respecting the treatment and progress made in the religious, intellectual, and mechanical

education of the negroes declared free by the Commission, and such report shall, under the authority of the two Governments respectively, be annually published in each country.

ARTICLE XIV.

The High Contracting Parties agree that if in future it should appear necessary to adopt new measures, in consequence of those which are laid down in this Annex turning out inefficacious, the said High Contracting Parties will consult together and agree upon other means better adapted for the complete attainment of the objects they have in view.

The Undersigned Plenipotentiaries have agreed, in conformity with Article XII of the Treaty signed by them on this day the of one thousand eight hundred and fifty , that the preceding Regulations, consisting of fourteen Articles, shall be annexed to the said Treaty, and shall be considered as an integral part thereof.

No. 82.

The Chevalier de Macedo to the Earl of Clarendon.—(*Received June* 4.)

Légation Impériale du Brésil,
Mon cher Lord Clarendon, *Londres, le* 3 *Juin*, 1853.

J'AI l'honneur de vous envoyer ci-joint le memorandum que vous m'avez engagé à vous écrire au sujet de notre Convention sur le droit de visite.

Vous êtes très occupé en ce moment, mais j'espère que vous trouverez, avec la bonne volonté dont vous êtes animé, quelques minutes pour y jeter un regard.

Je vous prie instamment de faire tout le possible pour nous tirer tous de cette désagréable position qui tient toujours le commerce en émoi et qui est pour mon Gouvernement le sujet de la plus grande inquiétude et du plus grand mécontentement de la part du public.

J'ai l'honneur, &c.
(Signé) S. DE MACEDO.

Inclosure in No. 82.

Memorandum by the Chevalier de Macedo in reply to that of the Earl of Clarendon, dated May 23, 1853.

5, Mansfield Street, Portland Place, le 2 *Juin*, 1853.

LE Chevalier de Macedo a examiné le memorandum de Lord Clarendon et les deux copies imprimées du projet de Convention que son Excellence propose pour remplacer celui qu'il avait présenté à Lord Malmesbury le 19 Août, 1852. C'est le 14 de ce même mois que le Chevalier a reçu les pleins pouvoirs de son Gouvernement pour négocier cette Convention sur le droit réciproque de visite. Lord Malmesbury, devant quitter Londres dans peu de jours, l'a engagé à lui présenter sans retard son projet, à fin qu'il pût l'examiner avant de partir et laisser des instructions à Lord Stanley pour continuer la négociation en son absence. C'est donc très à la hâte que ce projet a été rédigé et dès lors M. de Macedo a demandé tout indulgence pour la rédaction. Les clauses ou conditions avaient cependant été depuis longtemps méditées et clairement établies dans les instructions du Gouvernement Impérial.

Avant son départ Lord Malmesbury a eu en effet une conférence avec M. de Macedo, et pendant sa longue absence celui-ci en a eu plusieurs avec Lord Stanley. Il paraît que de ces conférences aucun vestige n'est resté au Foreign Office. Ce manque d'information sera suppléé dans les considérations suivantes, qui seront faites dans le même ordre d'Articles adopté par Lord Clarendon dans son memorandum.

Préambule.

Lord Stanley a fait au préambule de la proposition de M. de Macedo la même remarque par laquelle commence Lord Clarendon, et il lui a été répondu immédiatement que la référence à l'Article I du Traité de 1826 avait été omise seulement parcequ'elle avait paru inutile, mais qu'il n'y avait aucun inconvénient à la rédaction du préambule telle qu'elle était faite dans le projet de Lord Howden. Ceci par conséquent est un point depuis longtemps arrêté.

ARTICLE III.

Le pouvoir spécial pour les croiseurs n'est pas une nouveauté; il existe dans les Traités que la Grande Bretagne a conclu avec la France, la Sardaigne et autres Puissances. C'est pour le Brésil, comme pour ces Puissances, une question plutôt de forme et de dignité nationale que de fond ou d'intérêt. C'est à cause de la distance où se trouvent les deux Gouvernements que les pouvoirs provisoires donnés par les Agents Diplomatiques ont été imaginés. Si cette précaution, qui n'existe pas dans les Traités mentionnés, ne paraît pas suffisante, il y a un moyen très facile d'écarter l'inconvénient que Lord Clarendon indique. On peut stipuler que les deux Gouvernements commenceront par échanger un nombre suffisant de ces pouvoirs spéciaux (cinquante, par exemple) avec les noms des navires et de leurs commandants en blanc. Ces blancs seront remplis par le Gouvernement à qui appartiendra le croiseur, et les noms ainsi écris seront communiqués au Ministre de la Puissance qui a donné les pouvoirs. Un nombre de ces pouvoirs (douze ou vingt, par exemple) seront toujours tenus en blanc entre les mains de chacun des deux Gouvernements. Il n'y a donc aucun retard à craindre.

Ce sont les actes d'humiliation infligés au Brésil en 1850 et 1851 par les croiseurs Anglais qui rendent nécessaires à l'avenir quelques formes empreintes d'un plus grand respect pour la dignité de son pavillon.

Quant à l'omission dans cet Article des instructions pour les croiseurs et les Commissions Mixtes, ces instructions sont clairement désignées dans l'Article XII, comme faisant partie du Traité. Il a paru donc inutile de faire cette mention plus d'une fois, mais il n'y a aucune objection à la répéter toutes les fois qu'il sera parlé de ces instructions, si on le croit utile.

ARTICLE IV.

Il y a encore ici manque d'information d'une circonstance des conférences avec Lord Stanley. Le trace d'une ligne longitudinale a été proposé à cet effet que dans la zone comprise entre cette ligne et la côte du Brésil, toutes les captures de navires Brésiliens seraient soumises aux tribunaux Brésiliens quand même elles seraient faites par des croiseurs Anglais; et *vice versâ* dans la zone entre l'Afrique et cette ligne toutes les captures de bâtiments Anglais, quand même elles seraient faites par des croiseurs Brésiliens, seraient soumises aux tribunaux Anglais. C'est par une erreur de copie, due à la hâte, qu'on a écrit 37° de longitude ouest du méridien de Greenwich; c'est 27° qui doit être lû: la ligne du 37° passe sur la terre Brésilienne et ne peut donc former une zone maritime.

La 27me ligne a été choisie parceque les caboteurs Brésiliens allant du sud au nord sont obligés, à cause des courants et des vents, de naviguer directement vers ce point pour de là cingler vers la côte nord du Brésil.

Les Commissions Mixtes sont des tribunaux monstrueux dans lesquels la propriété des armateurs et des marchands, ainsi que la punition du crime, sont exposées à un simple hazard.

La règle invariable dans ces tribunaux a été, et tout fait croire qu'elle continuera à être, celle-ci. Supposant que le croiseur est Anglais et la prise Brésilienne, le Commissaire Juge Anglais se prononce pour le croiseur, c'est-à-dire déclare que la prise est bonne, le Commissaire Juge Brésilien déclare la prise mauvaise. Le sort, c'est-à-dire, une pièce jetée sur la table, et les mots "pile ou face," indiquent lequel des Commissaires Arbitres doit avoir vote décisif. Si le sort désigne le Commissaire Arbitre Anglais, la prise est déclarée bonne et l'inno-

cent peut souffrir ; si c'est l'Arbitre Brésilien, la prise est déclarée mauvaise et le crime peut rester impuni.

Quand les intérêts des sujets des deux Puissances interviennent parceque le propriétaire de la prise appartient à l'une et le croiseur à l'autre, et que le théâtre de la capture n'appartient à aucune des deux, il est difficile de trouver un moyen de juger la prise qui ne soit celui des Commissions Mixtes. Pour diminuer leurs inconvénients le Gouvernement Impérial a imaginé de restreindre le district de leurs juridictions par le moyen des zones qui viennent d'être expliquées et qui ont été consignées dans l'Article IV.

Par ce moyen du côté du Brésil les caboteurs seront un peu à couvert, et du côté de l'Angleterre le seront également les navires qui transportent des émigrants en Australie et qui, ne pouvant à leur retour manquer de conserver les indices d'avoir été préparés pour le transport d'un nombre considérable d'hommes, pourraient être pris par les croiseurs Brésiliens et condamnés par le " pile ou face " d'une des Commissions Mixtes.

Le moyen d'attaquer avec succès un crime c'est de le faire punir par des tribunaux bien constitués, par des lois équitables et des peines proportionnées. Les tribunaux de colère, les tribunaux qui agissent sans égard pour les principes de justice, et qui sont constitués de manière à juger toujours avec partialité, ainsi que des lois rigoureuses à l'excès, n'ont jamais servi qu'à donner des sympathies au crime.

Lord Clarendon permettra de lui faire observer qu'il attribue l'augmentation dans l'importation de nègres de contrebande au Brésil à une cause qui n'a jamais existé. Jamais les prises de négriers Brésiliens faites par des croiseurs Anglais n'ont été soumises aux tribunaux Brésiliens. Dès que les Commissions Mixtes ont cessé un Bill du Parlement Anglais en 1845 a soumis le jugement de ces prises aux tribunaux de l'Amirauté et Vice-Amirauté Anglaise. C'est alors que la traite a triplé de force et la raison est celle qui vient d'être donnée. Le négrier a été considéré le représentant de la dignité du pavillon national contre l'oppression Anglaise. Dès qu'il échappait aux croiseurs il ne trouvait que des sympathies.

C'est ce régime malheureux que le Gouvernement du Brésil veut faire cesser. Il veut enlever aux négriers ce dernier et unique moyen de provoquer des sympathies à leurs détestables spéculations.

Lord Clarendon permettra encore de lui faire observer que ce n'est pas sous le pavillon Brésilien que les négriers de toutes les nations viendront s'abriter, car les bâtiments naviguant sous ce pavillon continueront d'être soumis au droit de visite. Dans ce droit est la véritable garantie, et non pas dans une juridiction illimitée donnée à des tribunaux essentiellement défectueux par leur nature. Tout le monde sait sous quel pavillon les négriers de toutes les nations sont venus chercher un refuge et pourquoi.

Si Lord Clarendon peut trouver un moyen de constituer les Commissions Mixtes d'une manière telle qu'elles ne conservent plus leur caractère actuel, le Gouvernement du Brésil sera charmé de l'adopter.

Ce n'est pas cependant dans ses intentions d'exposer volontairement son commerce de cabotage à une ruine complète. Le bâtiment une fois saisi il faut lui donner des juges aussi impartiaux que possible. Les Commissions Mixtes ne sont pas ces juges. Si leur juridiction est limitée, comme le Gouvernement Brésilien propose, à une certaine zone, la navigation Brésilienne la plus importante, celle du cabotage, reste garantie, ainsi que la navigation Australienne-Anglaise. Les Brésiliens qui iront trafiquer en Afrique sauront à quoi ils s'exposent. La marine Brésilienne est dans l'enfance, c'est le cabotage seul qui l'alimente ; il ne faut donc pas l'exposer à la ruine.

ARTICLE VII.

Il est tout simple que le Gouvernement Brésilien veuille mettre le Traité d'accord avec les lois du pays, surtout quand ces lois ont été votées après une si mure réflection et que leurs résultats ont répondu à l'attente des deux Gouvernements.

Ces lois ont prévu plusieurs indices qui n'étaient pas dans le projet de Lord Howden ; mais il est impossible de soutenir que tous les indices, ou clauses d'équipement, aient la même importance et puissent produire la même conviction de culpabilité. Il y en a qui peuvent être considérés des preuves *primâ facie* d'un

emploi criminel du navire, et d'autres qui peuvent se trouver dans une spéculation légale. La nécessité de faire cette distinction a été une objection constante de la part du Gouvernement du Brésil à toutes les propositions de Convention présentées par l'Angleterre.

M. de Macedo prie son Excellence de voir ce qui à ce sujet a été dit dans la réponse qu'il a faite le 30 Mars, 1852, au memorandum de Lord Malmesbury du 13 du même mois de Mars. Il appelle surtout l'attention de son Excellence sur l'exemple qui est cité de la capture du brick "Polka" à Macahé et du jugement inique qui l'a condamné.

ARTICLE VIII.

Un des moyens, le plus efficace peut-être, de combattre la traite est de fournir à l'agriculture du Brésil des bras libres. Il faut aller les chercher en Europe et en Asie, où ils abondent. Tout ce qui tend à favoriser ces entreprises devait donc être bien accueilli par le Gouvernement Britannique. C'est avec surprise que le Chevalier de Macedo a vû faire objection à une clause destinée à favoriser ces entreprises, et à établir en même temps les garanties les plus sagement combinées contre l'abus qu'on pourrait faire.

Les moyens doivent être clairement établis de prouver avant le commencement du voyage qu'il est légal et donner caution pour cela.

Si on se remet à la preuve *post facto* que Lord Clarendon dit prévue dans l'Article VII, ou la règle de droit, qui prescrit que l'innocence se présume et le crime ou l'intention criminelle a besoin de preuve, sera suivie, et alors les négriers pourront échapper; ou on condamnera toujours les bâtiments *bonâ fide* destinés au transport de colons ou émigrants, c'est-à-dire, ceux qui rendent le plus grand service à la cause de la suppression de la Traite des Nègres.

Des deux côtés il y a inconvénient et absurdité. L'adoption dans le Traité des dispositions de la loi Brésilienne est le seul moyen sûr d'y échapper.

Quant à la disposition de l'Article VIII du projet de Traité de 1847, qui exclut du droit d'avoir une indemnité tout bâtiment qui, quoique absous par la Commission Mixte, pourrait contenir un des indices ou clauses d'équipement: ce sera difficile de trouver un seul juriconsulte Anglais qui ait pû établir la théorie que c'est au croiseur à qui on doit donner des garanties et non à l'innocent contre les erreurs ou les passions du croiseur. Celui-ci ne peut être équiparé qu'aux officiers de police at aux magistrats dans la législation commune, et dans celle-ci on a toujours eu en vue dans tous les pays civilisés, et surtout en Angleterre, d'offrir à l'innocent toute protection contre une persécution injuste, ou contre des erreurs inséparables de la condition humaine. Cependant le Chevalier de Macedo pour faciliter la négociation admettra cette exception, pourvû qu'elle s'applique aux navires saisis dans une certaine distance de la côte d'Afrique; car alors il y aura bien peu de cas où l'innocence puisse être établie, et encore ceux qui vont en Afrique ou s'en approchent doivent savoir à quoi ils s'exposent.

ARTICLE X.

Dans cet Article il a été bien clairement déclaré que les criminels seront punis par les lois du pays, et que ces lois seront "rigidly enforced." Il paraît que Lord Clarendon tient à ce que les lois actuelles Brésiliennes soient mentionnées. Il y a un inconvénient à faire ainsi les lois du pays partie d'un Traité avec un Gouvernement étranger; c'est presque rénoncer au droit de les changer, c'est abdiquer la souveraineté. Le Gouvernement Britannique de son côté se garde bien de le faire "the statute in force;" c'est la manière d'indiquer la loi Anglais.

Il semble qu'une fois que le Brésil s'engage à adopter des lois jamais moins et toujours plus sévères que celles qui existent, il a donné toute la garantie nécessaire.

ARTICLE XI.

Cet Article se rapporte à l'exportation des nègres déclarés libres et se trouvant au Brésil. Le Gouvernement Impérial ne veut pas les conserver dans

son territoire, et il veut faire les dépenses de leur retour en Afrique. En effet leur conservation dans l'Empire est dangéreuse. Le Brésil, cependant, aussi bien que les Etats Unis, ne peuvent voir sans inquiétude se former dans l'Amérique des aglomérations d'Africains libres destinées à constituer à l'avenir des Républiques de nègres. C'est pour ce motif qu'il désire les faire transporter en Afrique. Ces nègres ne sont ni sujets Anglais ni Brésiliens, et il semble que la Puissance sur le territoire de laquelle ils se trouvent est celle qui doit décider de leur sort dans un but d'humanité. Cette humanité cependant ne doit pas être exercée d'une manière contraire à la sécurité de l'Etat.

ARTICLE XII.

Sous ce numéro Lord Clarendon propose un Article qui a pour but la création d'une Commission Mixte à Rio Janeiro pour décider sur le droit que des nègres tenus maintenant en esclavage puissent avoir à la liberté. Une telle stipulation non seulement serait contraire aux droits de souveraineté du Brésil, mais elle causerait la ruine de l'Empire; elle le bouleverserait complètement et l'exposerait à des convulsions qui pourraient aboutir à la disparition du Brésil de la liste des nations civilisées.

Tant que la discipline dans laquelle le maître tient actuellement l'esclave ne sera pas rompue, le maître pourra empêcher l'esclave légalement ou illégalement possédé, de comparaître devant la Commission. Il l'éloignera avec plus de facilité de l'endroit où elle siège qu'il ne l'éloigne aujourd'hui des tribunaux et des juges qui se trouvent à chaque district.

Ce ne sera donc que par un appel à la révolte que la Commission pourra obtenir la comparation à sa barre d'un certain nombre de ces pauvres êtres. Ne sait-on pas les résultats immanquables de ce genre de révoltes? La crainte qu'elles n'éclatent ou leurs premiers symptômes seraient le signal d'un terrible et inévitable déploiement de rigueur de la part des maîtres. Ce serait probablement une excitation de plus à la revolte. Elle serait affreuse, mais la répression serait de nécessité plus affreuse encore.

Les esclaves n'ont pas le moyen de correspondance entre eux, car ils ne peuvent pas écrire; ils ne se comprennent pas même, parcequ'ils parlent des langues différentes; ils ne sont susceptibles d'aucun accord entre eux, car ils appartiennent à des peuples ennemis, qui continuent dans leur condition actuelle leurs haines Africaines. Si donc on met en émotion non pas l'amour de la liberté, qu'ils ne connaissent nullement, mais l'instinct de la paresse, tous les nègres légalement ou illégalement esclaves se mettront en mouvement, des soulèvements partiaux éclateront çà et là par d'horribles assassinats. Ces soulèvements seront comprimés sans difficulté, mais au milieu de scènes d'horreur, dans lesquelles on verra le plus grand acharnement de la part des esclaves eux-mêmes les uns contre les autres. Ce serait une guerre plus affreuse que celle où l'Africain réclamerait la liberté au moyen du poignard et du poison, et le blanc résisterait avec sa supériorité et en employant pour comprimer l'Africain de telle nation et de telle langue l'Africain de telle autre nation qui lui garde une haine traditionnelle.

La victoire des nègres est impossible; mais si elle s'accomplissait, que deviendrait le Brésil? D'une nation florissante et civilisée il passerait à être une misérable République de nègres comme le Haïti. Mais que les nègres soient écrasés dans la lutte, cette lutte elle-même aura appauvri le pays, aura fait cesser pour longtemps toute production, tout commerce. Qui aura gagné à cela? Certainement ce ne seront pas les commerçants ni les fabricants Anglais, ni les armateurs, ni les capitalistes Anglais, créanciers du Gouvernement Brésilien ou des planteurs et des commerçants Brésiliens.

Voilà les résultats immanquables de tout acte qui tiendrait à remuer de telles passions et de tels instincts. Un plus grand brandon de discorde, un moyen de ruine et de dévastation plus efficace que la création de la Commission proposée, ne peut pas être imaginé.

Malheureusement les nègres tenus illégalement en esclavage doivent être en très grand nombre. Ce fait seul, sans qu'on vienne provoquer la révolte de tous les esclaves, constitue un grand danger pour l'Etat. C'est la connaissance de ce danger qui a opéré de nombreuses et sincères conversions à la cause de l'abolition de la traite. Ce danger agira salutairement sur le sort de tous les esclaves, car

ce sera, outre leur progressive cherté, un motif de plus pour engager les maîtres à les bien traiter.

Certainement l'esclavage a des misères qui révoltent l'homme généreux, mais la vie est un bien qui passe avant la liberté, surtout pour ceux qui ne la connaissent pas. Or les esclaves qu'on voudrait libérer ainsi au milieu de si grands dangers sont justement les moins capables de vivre hors de l'esclavage et les moins dignes de la liberté.

On sait que l'esclavage est l'instinct traditionnel du nègre Africain. Il ne connaît dans son pays que l'état de maître et d'esclave. Il ne connaît pas même d'autre lien entre le père et le fils que le droit au premier de vendre celui qui est né sous sa protection. On n'a jamais pû réduire à la servitude le sauvage Américain. Le nègre prospère et multiplie dans l'esclavage. Le Gouvernement Anglais sait qu'on a autant de peine à réprimer l'avarice du blanc qui veut acheter des serviteurs que l'avarice du nègre qui veut vendre son frère.

C'est par l'esclavage que l'éducation de cette race malheureuse s'accomplit. Celui, qui a été vendu par son propre père contre une bouteille de tafia, transporté en Amérique apprend dans l'esclavage à connaître la douceur des liens de famille, il y apprend à se soigner, à travailler, à adorer Dieu.

C'est donc plutôt le nègre qui a vécu le plus longtemps en esclavage, c'est celui qui y est né qui est plutôt digne de la liberté, et qui pourrait plus probablement la recevoir et en user à son avantage et pour le bien de sa race, et non pas ceux en faveur de qui on propose de créer cette Commission. Mais on demandera —et le droit? Il n'y a pas de société civilisée dans laquelle la nécessité n'ait passé avant le droit. En Angleterre même on ne pourrait soutenir que par la nécessité de conserver l'Etat, le droit avec lequel une partie considérable de la terre se trouve possédée. Il y a de certaines questions de droit devant lesquelles partout recule l'homme d'Etat. Ceux qui disaient "périssent les colonies plutôt qu'un principe," se sont montrés des bourreaux.

L'esclavage, il faut le répéter, est une institution détestable, aussi funeste à l'esclave qu'au maître. Mais ce qui existe on ne peut y toucher qu'avec les plus grandes précautions dans l'intérêt du nègre lui-même, dans l'intérêt du Brésil, dans celui de l'Europe. Tant que l'Amérique contiendra des nations civilisées avec une organisation semblable à celle de l'Europe, elle servira à diminuer ici un esclavage plus terrible que celui auquel sont soumis les nègres—l'esclavage de la faim. On a vu des maîtres de nègres saisis d'horreur à la lecture d'une loi Anglaise moderne sur le travail des enfants dans les fabriques. "Nos esclaves adultes," disaient-ils, "ne travaillent pas autant que ce qu'on croit un travail modéré pour des enfants." Si on allait par des imprudences dictées certainement par des motifs généreux, bouleverser ces pays qui font vivre en Europe tant d'ouvriers et qui leur envoyent tant de moyens de procurer des aliments et des vêtements, on aurait au nom de la liberté jeté dans les misères de la barbarie Africaine quelques milliers d'Africains, et dans la misère de la faim plus d'un million peut-être d'Européens.

C'est donc la création de la Commission Mixte proposée dans l'Article XII, une de ces clauses que le Gouvernement du Brésil n'admettra jamais. Il se soumettra à tout, à la guerre s'il le faut, plutôt que de l'accepter. Ce ne sera jamais celui qui écrit ces pages qui lui conseillera de rénoncer à cette décision; il est tellement convaincu lui-même du danger de la mesure proposée que si son Gouvernement lui donnait l'ordre de signer un Traité avec cette clause, il rénoncerait à son poste plutôt qu'il n'obéirait.

ARTICLE XIV.

L'effet de l'Article proposé avec ce numéro, serait que le Brésil aurait reconnu l'existence du Bill du 8 Aôut, 1845, aurait obtenu la suspension de son exécution, mais aurait donné au Gouvernement Britannique le droit de le remettre en vigueur moyennant l'avis de six mois stipulé dans l'Article XV.

Le Gouvernement Impérial a constamment déclaré qu'il ne reconnaîtra jamais à la Grande Bretagne le droit d'avoir établi et faire exécuter ce bill, contre lequel il a toujours protesté. La base de toute négociation, de tout Traité, est l'abolition de ce bill. Tant qu'il existera il n'y aura jamais parfait accord ni uniformité d'action entre les deux Gouvernements.

Cette conformité d'action, cette bonne intelligence, est nécessaire à la grande

cause de l'abolition de la traite. Le Gouvernement Britannique sait très bien que pendant vingt ans ses grands moyens et ses grands efforts ont échoué devant l'adresse et l'audace des négriers. Ce n'est que quand les autorités Brésiliennes ont pû sortir de leur impuissance et ont associé leurs efforts à ceux de la Grande Bretagne, que le nombre des nègres importés dans une année est descendu de 60,000 à 23,000, de 23,000 à 3,000, et enfin de 3,000 à 600.

Certainement il faut que la Grande Bretagne continue à veiller à l'œuvre qu'elle a commencée, et c'est pour cela que le Brésil lui a proposé le Traité en question sur le droit de visite; mais le concours sincère des autorités Brésiliennes est une condition nécessaire à son succès. Quelque chose gêne encore ce concours, quelque chose menace de la faire disparaître; c'est le Bill d'Août, 1845. L'abrogation de ce bill est donc la condition *sine quâ non* d'un concours franc, loyal et sincère des deux Gouvernements, et la seule base solide de tout Traité destiné à l'établir.

No. 83.

Mr. Jerningham to the Earl of Clarendon.—(*Received June* 13.)

My Lord, *Rio de Janeiro, May* 13, 1853.

WITH reference to your Lordship's despatch of the 30th March, inclosing for my information, and for communication to Senhor Paulino, a copy of a despatch which your Lordship has addressed to Her Majesty's Consul at Monte Video, instructing him to place himself in communication and to cooperate with the Brazilian agent in that city, with the view of assisting to counteract the evil designs of slave-dealers in those parts, who have been lately represented by the Brazilian Government as resorting to the River Santa Luzia, near Monte Video, to fit out vessels for the African Slave Trade, I beg to state that I will directly make the communication to Senhor Paulino, who will be exceedingly gratified to learn the steps taken by your Lordship, especially as the last time I spoke to his Excellency he impressed upon me the necessity of orders being sent to British agents in the River Plate to aid in closely watching the proceedings of slave-dealers there.

I received last month, after the departure of the mail, a note from his Excellency Senhor Paulino, a copy of which I have the honour to inclose, relative to the suspicions which are entertained against a Roman vessel as being about to engage in Slave Trade; and as his Excellency must have derived his information from good authority, through the Brazilian agent at Monte Video, this fact tends to confirm what has been said respecting the evil machinations which are on foot in the River Plate, having for their object the revival of the African Slave Trade.

During the last month I have not heard of any apprehension being entertained of a landing of slaves having been attempted on the coast of Brazil, or of any rumours respecting arrivals of slavers in any part of this Empire.

I have, &c.

(Signed) WM. STAFFORD JERNINGHAM.

Inclosure 1 in No. 83.

Senhor Paulino de Souza to Mr. Jerningham.

(Translation.) *Rio de Janeiro, April* 10, 1853.

I HAVE the honour to transmit to Mr. W. Stafford Jerningham a copy of a secret despatch which was addressed to me on the 23rd of March last by the Imperial Legation at Monte Video, acquainting me with the suspicions entertained that the Roman brig "*Maria*," formerly a Sardinian, named the "*Prudenza*," Captain Nuno Vechio, had sailed from that port on a slave-trading voyage to the coast of Africa.

I have already written upon this subject to the Minister of Justice, requesting him to collect information respecting the two individuals who are said to have

gone in the said brig on that destination, and now I also address myself to Mr. Jerningham in order that he may take such measures in this case as are within his reach.

I avail, &c.

(Signed) PAULINO JOSE SOARES DE SOUZA.

Inclosure 2 in No. 83.

The Brazilian Minister at Monte Video to Senhor Paulino de Souza.

(Translation.)

Most Illustrious and Excellent Sir, *Monte Video, March* 23, 1853.

I HAVE just received the following confidential communication:—The Roman brig "*Maria*," formerly a Sardinian named "*Prudenza*," of which Nuno Vechio is captain, came to this port to fit out for the Coast of Africa. Entertaining apprehensions of some person who was in the secret, she received a cargo of mares, and cleared out for the Mauritius. Outside the Port of Monte Video she was seen to receive provisions and other articles from on board a coasting vessel, and I have been assured by a credible person that she is destined for the Slave Trade.

That vessel sailed on the 21st instant, and her owners and chief speculators, Francisco José dos Santos and José Llamusa (or Slamusa) Planas, have gone in her. These two individuals, according to the same source to which I above referred, arrived here three months ago from Rio de Janeiro, where they must be well known.

God preserve, &c.

(Signed) JOSE MARIA DA SILVA PARANHOS.

No. 84.

Mr. Jerningham to the Earl of Clarendon.—(Received June 13.)

My Lord, *Rio de Janeiro, May* 13, 1853.

I HAVE the honour to inform your Lordship that the Brazilian Government have given orders for the deportation of Senhor Antonio Pinto da Fonseca for slave-dealing practices. He is a brother of the noted slave-dealer Manoel Pinto da Fonseca, who, as your Lordship may be aware, is also exiled.

Last year Senhor Antonio Pinto was ordered out of Brazil, but upon his appeal for a legal investigation on his conduct, the order was allowed to remain dormant until his case had been tried before the Bahia tribunals, where he was latterly acquitted.

This Government, not being satisfied with the judicial proceedings, have now taken up their prerogative, and have determined upon putting in force the deportation of Senhor Antonio Pinto.

I also beg to state that Don Francisco Riveirosa, likewise a notorious slave-dealer, has recently been arrested by order of this Government.

I have, &c.

(Signed) WM. STAFFORD JERNINGHAM.

No. 85.

The Earl of Clarendon to Mr. Jerningham.

Sir, *Foreign Office, June* 20, 1853.

I TRANSMIT to you herewith, for your information, a printed copy* of a draft of a new Treaty for the suppression of the Slave Trade which Her Majesty's Government have communicated to the Brazilian Minister at this Court as a counter-project to the draft of Treaty which was proposed by the Brazilian Government to Her Majesty's Government through M. de Macedo on the 19th of August, 1852,† a copy of which I also inclose.

I am, &c.
(Signed) CLARENDON.

No. 86.

The Earl of Clarendon to Mr. Jerningham.

Sir, *Foreign Office, June* 25, 1853.

I HAVE received your despatch of the 13th ultimo, reporting that the Brazilian Government had determined upon banishing the slave-trader Antonio Pinto da Fonseca, and had caused Don Francisco Riveirosa, also a notorious slave-trader, to be arrested; and I have to instruct you to state to the Brazilian Government that Her Majesty's Government have received this intelligence with great satisfaction.

I am, &c.
(Signed) CLARENDON.

No. 87.

Mr. Jerningham to Lord John Russell.—(Received July 1.)

My Lord, *Rio de Janeiro, April* 2, 1853.

IN the course of a conversation which I lately had with Senhor Paulino José Soares de Souza, the Brazilian Minister for Foreign Affairs, I asked him if certain accounts and letters which had appeared in the public press respecting the alleged state of insubordination and excitement in the district of Bananal, resulting from the searches made by the Brazilian Government after the Africans landed at Bracuhy, were, or not, in conformity with the truth. At the same time I stated to him my impression that these newspaper reports and letters from landed proprietors were written with the express intention of either intimidating the Government, or from the desire to screen those implicated in the Bracuhy affair from further pursuit or investigation.

His Excellency replied that he could assure me that there was indeed great exaggeration in all these accounts, but that the Government had encountered much difficulty in making the searches; however, he thought that the effect of what had been done would prove beneficial by the impression it would make upon the dealers and those who generally embark in slave-trading enterprises.

He nevertheless admitted, that the influence of the landed proprietors in the district where the searches took place was indeed very great, and his conviction that those persons who were to be proceeded against by the judicial authorities would certainly be acquitted by the juries (as has been recently the case), assertions which prove that his Excellency is evidently convinced of the existence of a very bad spirit in that quarter; and this bears out and confirms what is reported of the subordinate authorities, who become the creatures, either through intimidation or bribery, of rich influential persons, and that instead of aiding the police and soldiers despatched to search the plantations on the late occasion, they have been in some cases the cause of the latter being grossly deluded and misled.

* Inclosure 3 in No. 81. † See page 103.

Wishing to know if any search had been made upon the estate of Senhor José Breves, where the Africans were in the first instance put on shore, I questioned his Excellency upon that point. He answered me hastily, that to his knowledge the police had not been there, adding, that the Africans had not remained on the spot were they had landed, but had been taken further on into the country.

This was the current report at the time, but in those places where they were then taken to few have been found, notwithstanding the much-criticised searches of the Brazilian military police.

Now, as the estate of Senhor José Breves has not, as it would appear, been subjected to a visit, and as he is an influential and rich proprietor, an extensive slave-owner, and is even connected by rumour with the late slave-trading transaction, I fear that the Minister of Justice did not possess sufficient moral courage and energy to cause an investigation to be made upon the property of that person.

After alluding to these searches made by the Brazilian Government in the Bananal district, I endeavoured strongly to impress upon the Brazilian Minister how necessary it became for his Government to use every possible means it possesses to prevent any further disembarkation of slaves, in which his Excellency perfectly agreed, and added, that when the dealers saw no further prospect of success, their agents on the coast of Africa would be obliged to close their establishments.

I then adverted to the Cuba Slave Trade, upon which Senhor Paulino observed that this did them great harm (ça nous fait beaucoup de mal), because, and I understand why, it greatly helps to keep up the barracoons on the coast of Africa, and gives work to the slave-dealers' agents there, many of whom I am told dispatch cargoes of slaves for the Cuba markets for account of wealthy persons in this country and in Portugal.

His Excellency laid particular stress upon the urgency of directing vigilant attention to those quarters, and in this I am convinced he is right, for the Slave Trade will never be completely extinguished until the great chain of communication connecting the dealers of Brazil and Portugal with those in Cuba and their respective agents in Africa is entirely broken and destroyed.

It is likewise to be observed and apprehended that when the Cuba market becomes stopped by the activity of Her Majesty's cruisers, we should have the tide of Slave Traffic returning to these shores, unless prepared to stem it by the greatest vigilance.

The Brazilian Government have informed me that they have many steamers on the coast of Brazil employed as cruisers, but the Commanders of Her Majesty's ships "Sharpshooter" and "Bonetta" also tell me that they scarcely ever meet them, and certainly the Brazilian cruisers did not greatly distinguish themselves in December last, when the "*Camargo*" landed her cargo of slaves at Bracuhy.

In conclusion I beg respectfully to remark, that although no landing has to my knowledge been effected since the commencement of this year, unless wise and steady precautions are taken the Slave Trade may easily and readily recommence with redoubled activity. The moral feeling against it in this country is often spoken of, but is it sincere? On the contrary, I have been assured that amongst the Portuguese here, in whose hands are great riches mostly derived from slave-dealing, this feeling does not exist, and that they are chiefly deterred from slave-trading at present by the fear of being sent out of the country, which would certainly be the case upon being detected, if the Brazilian Government continues to act up to its present laudable professions; there being very few of these Portuguese, and likewise many Brazilians, who would not, if they dared, embark again much of their treasure in the unchristian and unlawful Traffic in Slaves.

I have, &c.

(Signed) WM. STAFFORD JERNINGHAM.

No. 88.

Mr. Jerningham to the Earl of Clarendon.—(*Received July* 1.)

(Extract.) *Rio de Janeiro, April* 8, 1853.

WITH reference to my despatch of the 3rd of March to Lord John Russell, in which I stated that information had been received by Her Majesty's Legation in Rio from Mr. Consul Callander at St. Catherine's, that the whaling vessel "*Sem Igual*," belonging to Juan da Costa, Jun., of Bahia, was in the port of that island, and that strong suspicions were entertained against her of being intended for the Slave Trade, I have now the honour to communicate to your Lordship that this vessel has been detained by the Brazilian naval authorities, by order of the President of the province of St. Catherine's.

Yesterday I called upon Senhor Paulino to be informed officially of the fact, and of the reasons which had induced the President of St. Catherine's to seize the "*Sem Igual*," when his Excellency observed that this vessel had been detained in consequence of the declaration of one of the crew that she was destined for Slave Trade, but that the President of the province, not thinking himself authorised to come to a decision upon this point, had caused her to be taken up to the head-quarters at Rio for adjudication.

I pressed his Excellency to furnish me with the details of this affair, which he promised to do when he was duly acquainted with the whole proceeding.

His Excellency then showed me where the most dangerous parts of the coast for disembarking negroes, in his opinion, were situated; and remarked that when he cast a retrospective glance upon the times when such great numbers of Africans were landed in Brazil, and compared them with the present day, he could hardly believe it possible that such a change could have been brought about within so short a period.

Of course Senhor Paulino seemed to claim all the glory of having put down the Slave Trade for his own Government; and as the real truth of the matter is so well known to every one conversant with the progress of the repression, I made no remark respecting the greater share which Her Majesty's Government certainly had in paralysing the Brazilian Slave Trade.

I am given to understand that the intentions of Senhor Paulino in striving to repress and extinguish the Traffic are really sincere, and that his Excellency seems alive to the fact that great vigilance is as yet necessary, for he remarked to me that "they must not go to sleep," which implies that he is well aware that without the greatest care and attention the rich slave-dealers and feudatories "fazendeiros" will not scruple in trying to recommence giving trouble to the Government of this Empire, by seeking to revive the African Slave Trade whenever they find an opportunity.

No. 89.

Mr. Jerningham to the Earl of Clarendon.—(*Received July* 1.)

My Lord, *Rio de Janeiro, April* 8, 1853.

I HAVE the honour to acknowledge the receipt of your Lordship's despatches dated the 6th, 7th, and 8th of March, addressed to Her Majesty's Minister the late Mr. Southern.

With respect to your Lordship's despatch of the 8th of March, I have lost no time in communicating its contents, as instructed by your Lordship, in a note to the Brazilian Minister for Foreign Affairs, a copy of which I have now the honour to inclose.

I have, &c.

(Signed) WM. STAFFORD JERNINGHAM.

Inclosure in No. 89.

Mr. Jerningham to Senhor Paulino de Souza.

Sir, *Rio de Janeiro, April* 8, 1853.

HER Majesty's Government having learned the circumstances attending the late disembarkation of slaves at Bracuhy I have received a despatch from the Earl of Clarendon, Her Majesty's Principal Secretary of State for Foreign Affairs, on the subject.

His Lordship regrets to be obliged to observe that the facts in this case seem to show that the powers and resources of the proper department were not applied with the promptitude and vigour which Her Majesty's Government had reason to expect, after the assurances which Her Majesty's late Minister reported having received from your Excellency in June last, that he might dismiss all uneasiness as to the energy that the Imperial Government were prepared to display in order to crush the projects of the slave-dealers.

I am therefore instructed by his Lordship to communicate to your Excellency the disappointment which Her Majesty's Government have felt on learning that these assurances were not made good in the affair of the slaves landed from the "*Camargo*" at Bracuhy.

I am at the same time to call your Excellency's serious attention to the well-grounded apprehension which all the circumstances of this occurrence cannot fail to excite as to the revival of the Brazilian Slave Trade; and to express the earnest hope of Her Majesty's Government that the universal credit obtained by the Brazilian Government for its sincerity and zeal in repressing this inhuman Traffic, will not be impaired by any want of vigour in meeting the attempts now evidently being made for its renewal.

I avail, &c.

(Signed) WM. STAFFORD JERNINGHAM.

No. 90.

Mr. Jerningham to the Earl of Clarendon.—(*Received July* 1.)

My Lord, *Rio de Janeiro, April* 12, 1853.

I HAVE the honour to forward to your Lordship the copy of a despatch and its inclosures, which I received the other day from Her Majesty's Consul at St. Catherine's, Mr. Callander, informing me that the Brazilian whaling barque "*Sem Igual*" had been detained by authority of the President of that province, and sent up to Rio de Janeiro to the higher authorities.

Her Majesty's Consul observes, that previously rumours had been circulated in the port that Her Majesty's ship "Bonetta," Commander Wake, which was in the neighbourhood (for the express purpose of watching the movements of the "*Sem Igual*," against which suspicions of fitting out for slave-trading were being entertained), was only waiting for an opportunity to seize and destroy her; and he says that the commander of a Brazilian Government vessel had remarked that if the "*Sem Igual*" was not at once taken charge of by the Imperial Government she would fall into the hands of the commander of the "Bonetta." These rumours, coupled with that of her detention having been caused by some fresh information that had reached the President's ears respecting the real intentions of this Brazilian barque, induced Her Majesty's Consul to apply to the President of St. Catherine's to learn the real motives of the seizure.

It appears from the answer returned to Mr. Callander by the President of St. Catherine's that this request could not be complied with, as your Lordship will perceive by a copy of Senhor Coutinho's answer, which I have also inclosed.

Her Majesty's Consul is therefore led to remark, that he is unable to state whether the "*Sem Igual*" was detained for an infraction of the laws relating to the Slave Trade, or in order to prevent her being captured by Her Majesty's cruizer.

In consequence of a question which I put to Senhor Paulino on this subject

the other day, I this morning received a note from his Excellency, herein inclosed, in which Senhor Paulino informs me that in consequence of the "*Sem Igual*" having been detained under suspicion of being destined for the Slave Traffic, all the papers relating to the vessel had been submitted to the Judge Advocate to proceed against her according to law.

I shall make it my duty to watch the proceedings in this business; and if any scheme has been resorted to in order to prevent the "*Sem Igual*" from falling into the hands of Her Majesty's cruizers, by her being detained, judged and acquitted by the Brazilian Marine Tribunal, your Lordship shall be duly apprized of it.

I have, &c.
(Signed) WM. STAFFORD JERNINGHAM.

Inclosure 1 in No. 90.

Consul Callander to Mr. Jerningham.

Sir, *St. Catherine's, April* 2, 1853.

I HAVE the honour to acquaint you that the Brazilian whaling barque "*Sem Igual*," which sailed from here on the 9th ultimo, has been detained and sent to Rio de Janeiro by authority of the President of this province.

I am not aware of the exact cause which led to that step. It having been publicly reported here that Her Majesty's brigantine "Bonetta," which happened to be in the neighbourhood at the time, was only waiting for an opportunity to seize and burn the "*Sem Igual*," and the commander of the Brazilian Government vessel stationed here is said to have remarked that if she (the "*Sem Igual*") was not at once taken charge of by the Brazilian Government, she would be taken by the "Bonetta;" and hearing it reported also that her detention was in consequence of some new information having been given to the President respecting her real intentions; I considered it my duty, to arrive at the truth of these statements, to request the President to acquaint me, for the information of Her Majesty's Government, if she had been detained in consequence of any infringement of the laws relating to slave-trading. I addressed him on the 29th ultimo. Copy of my letter is herewith inclosed, together with his Excellency's reply, wherein he states, that having given to the Imperial Government confidentially the motives which had induced him to send that vessel to Rio de Janeiro, he was unable to satisfy my request. I therefore cannot state whether she was detained for infraction of the laws relating to slave-trading, or to prevent her from being captured by Her Majesty's cruizers.

I have, &c.
(Signed) RANDAL CALLANDER.

Inclosure 2 in No. 90.

Consul Callander to the President of St. Catherine's.

Excellent Sir, *St. Catherine's, March* 29, 1853.

HAVING learned that the national whaling barque "*Sem Igual*," which sailed from here on the 9th instant, has been detained and sent to Rio de Janeiro by authority of your Excellency, I have the honour to request that your Excellency will be good enough to let me know, for the information of the Government of Her Britannic Majesty, if such detention took place from any infringement by that vessel of the Imperial Law or the Convention between the Empire of Brazil and Great Britain for the suppression of slave-trading.

I have, &c.
(Signed) RANDAL CALLANDER.

Inclosure 3 in No. 90.

The President of St. Catherine's to Consul Callander.

Presidency of the Province of Santa Catharina,
(Translation.) *March* 30, 1853.

THE Undersigned, President of the Province of Santa Catharina, has the satisfaction to acknowledge the receipt to-day of Her Britannic Majesty's Consul's despatch of yesterday's date, asking that he would communicate to him, for the information of the Government of Her Britannic Majesty, if the detention of the national barque "*Sem Igual*" took place for infraction of the Imperial Law or of the Convention between Brazil and Great Britain for the suppression of the Traffic of Slaves.

The Undersigned having given to the Government of His Imperial Majesty, confidentially, the motives which he had for sending the barque "*Sem Igual*" to the Court, is sorry he cannot satisfy what the Consul asks.

The Undersigned, &c.

(Signed) JOAO JOSE COUTINHO.

Inclosure 4 in No. 90.

Senhor Paulino de Souza to Mr. Jerningham.

(Translation.) *Rio de Janeiro, April* 9, 1853.

THE Minister of Justice having communicated to me under date of the 7th instant that the barque "*Sem Igual*" had been seized in the province of St. Catherine's, and sent to this capital by the respective President, as being suspected of slave-trading; I have the honour to inform Mr. W. Stafford Jerningham of this circumstance, and to add that all the documents relating to that barque were transmitted to the Auditor of Marine, in order that proceedings may be instituted according to law.

I avail, &c.

(Signed) PAULINO JOSE SOARES DE SOUZA.

No. 91.

The Earl of Clarendon to Mr. Jerningham.

Sir, *Foreign Office, July* 6, 1853.

I HAVE received your despatch of the 2nd of April last, in which you report a conversation which you had held with the Brazilian Minister for Foreign Affairs on the subject of the Slave Trade in that country; and I have to state to you, in reply, that Her Majesty's Government approve of your language on that occasion.

I am, &c.

(Signed) CLARENDON.

No. 92.

Mr. Jerningham to the Earl of Clarendon.—(Received July 14.)

(Extract.) *Rio de Janeiro, June* 11, 1853.

I HAVE the honour to forward to your Lordship extracts of speeches delivered in the Brazilian Senate and Chamber of Deputies on the subject of the importation of Africans disembarked at Bracuhy on the 12th of December last, and of the searches made by the police at and in the vicinity of Bananal in the province of St. Paul's, published in the "Jornal do Commercio" of Rio de Janeiro of the 18th and 19th May, 1853.

Your Lordship upon the perusal of this inclosure will perceive that the orators both of the Senate and Chamber of Deputies are animated by a very eager spirit of inquiry for investigating the facts and the circumstances attendant on the landing of the slaves at Bracuhy, and more particularly on the Government searches ordered by the Minister of Justice afterwards for their apprehension.

Although severe strictures are inflicted upon the conduct of his Excellency Senhor Souza Ramos for removing the Brazilian cruizers from the point where they had been primarily stationed, and which was precisely that where the Bracuhy landing was effected; yet the chief aim of this attack both of the Senators and Deputies is evidently directed at the means and manner in which the Minister of Justice caused the different "fazendas" in or about Bananal to be searched, as well as the abuses, excesses, and extraordinary transactions that are reported to have taken place in order to secure some portion of the disembarked Africans, to satisfy public opinion.

Several, if not all these gentlemen would seem averse, by their language at least, to the continuation of the African Slave Trade; in fact, His Imperial Majesty having in the speech from the Throne strongly urged the total extinction of the Traffic, and announced taking additional measures so as to render its reappearance impossible, no doubt may have influenced the minds of many in favour of repression, as well as their own particular convictions; but, at the same time, perhaps from the custom and the habit of bygone years of witnessing the numerous importations of Africans, and a partiality for Bozal blacks, they are led to regard the actual disembarkation at Bracuhy as a matter only of secondary importance, and to point the main force of their attacks at the novel measures adopted by the Government for searching the farms of the opulent coffee-growers, the legality of which proceeding presents itself to some in a very equivocal light.

Many of the Senators and even Deputies are extensive landed proprietors, or connected with such by family ties or interests, and hold large estates cultivated by negroes; and the Government proceedings in the Bananal not being over well carried out and subject to much comment, as well as being infelicitous in the result, could not but fail to give umbrage to all those who may possess estates and slaves, and create in their breasts sympathy with the "fazendeiros" of the Bananal, especially as they themselves would consider the visits of the police at all times inconvenient, and apt to provoke insubordination among their blacks, and as being also a kind of invasion of the privacy of their domiciles, where they exercise an influence and independence almost feudal. What, then, must be the feelings of these individuals in finding that upon the suspicion or the knowledge of slaves being landed in their vicinity, the Government may choose at any moment, as they ought to have a right to do, to search their farms and plantations? The vanity and pride of the innocent must be wounded, and the fears of the guilty aroused; hence proceeds all the animosity and almost general opposition to the searches ordered by the Minister of Justice.

The impressions which had been spread throughout the country by the different newspapers, informed the public at large that some inertness or discrepancy must have occurred when the landing happened, and has excited much inquiry; but the measures, however laudable in principle, that afterwards took place, and which ought to have been attended with better success, have, by the extraordinary dealings said to have been connected with them, naturally produced great irritation and surprise.

From the questions asked by the orators of both Chambers, it is certain they wish to be put in possession of the most complete information of the entire proceedings of Government in this affair; and the Minister of Justice is loudly called upon to give the most unequivocal explanations.

The attacks made upon the Government, though savouring of virulent feeling, have not been conducted in a very able manner; and the result of these debates has contributed but little to elucidate the Government proceeding in the Bracuhy and Bananal affairs; the question has therefore dropped or been left where it was before.

However, a report was circulated last week, and perhaps is still true, that the Minister of Justice has resigned, and that he is to be succeeded by Senhor Vasconcellos, a gentleman well disposed to continue the repression of the Traffic.

I fear I have trespassed upon your Lordship's patience by offering these remarks; yet as this discussion has excited much interest throughout the country, I trust these observations may not be misplaced.

Inclosure in No. 92.

Extracts of Speeches delivered in the Brazilian Senate and Chamber of Deputies, on the subject of the Disembarkation of Africans at Bracuhy, and the Searches in the Municipality of Bananal. Published in the "Rio Journal of Commerce" of May 18 *and* 19, 1853.

(Translation.)

THE Senator *Senhor Fernandes Chaves* rose in his place and said:

"I, grounding myself upon information received of divers facts connected with the late disembarkation of Africans at Bracuhy, facts which occurred both before and after the said disembarkation, am justified in presenting the following request:

"I request that Government be called upon for the following explanations:

"1. If, after information was laid that an attempt was intended to be made to land Africans at Bracuhy, a watch had always been kept upon that place?

"2. Why, after the disembarkation was effected on the 12th December, did not the Minister of Justice take steps for the apprehension of the Africans before the 26th?

"3. What force accompanied the Chief of Police who was entrusted with the search?

"4. What number of Africans were apprehended; upon what estates; and were they belonging to the cargo landed at Bracuhy?

"5. Did the Minister of Justice instruct the Municipal Judge of Bananal not to appeal from the sentence, provided the planters should deliver up a certain number of Africans?"

Having put these questions, the orator added, that he was persuaded that all the facts upon which they were founded, to prevent them, could be satisfactorily explained, but that from the manner in which they had appeared before the public, they involve great blame on the part of the Minister of Justice, who is under the obligation of furnishing explanations in this respect, in order to direct public opinion, thus avoiding suspicions which are inconsistent with the consideration of a Minister of the Crown.

He, the orator does not know how these inquiries will be interpreted, but he assures the Minister that they are only intended to afford him a good opportunity to triumph still once more over his adversaries.

On the following day the Senator *Don Manoel de Mascarenhas* delivered the following speech on the same subject:

"The Senate ought to be thankful to Senhor Fernandes Chaves for having mooted this question; because the country was very anxious to receive accounts respecting that disembarkation to which reference is made, and in regard to which serious accusations and strong censures have been directed against the Government in the public press, not only for its neglect in not taking due steps to prevent a disembarkation, which it had beforehand been informed was premeditated, but also on account of the excesses which are said to have been committed after the disembarkation.

"I do not yet know what opinion I am to form of such grave and serious accusations. I heartily approve of the inquiries, because the information to be furnished by the Ministry will either condemn or absolve it.

"But it is not only for this reason that I think the Senate should be thankful for the inquiries; there is yet another and a more powerful reason, which is, that the speech from the Throne embraced this subject in one of its topics, saying, that Ministers would come to ask the Legislative Body for new measures towards preventing the reappearance of the Slave Trade.

"Now, the Senate cannot duly appreciate the communication which the Crown made on this subject, nor will it be enabled to censure the Government, if it should merit censure, nor praise it if it should be worthy of praise, without being previously in possession of the required information.

"I awaited the report of the Minister of Justice, in which naturally some sentences would be devoted to this subject, but I am informed by the noble author

of the inquiries that the report does not give it any development; this extraordinary fact is another reason for my voting for the inquiries.

"But these only call upon the Government for some information; I wish to see all the correspondence that has passed upon this subject, as well previous to as since the disembarkation of the Africans; which is conspicuous from the measures which were last year asked for, and almost unanimously voted for in both the Chambers, and it is astonishing that a disembarkation should still have been daringly effected so near to the capital, that there should still be found persons who, under the stimulus of the hope of gains, should dare to so seriously commit the honour, the dignity, and the interests of the country.

"It cannot be said that the demand is unseasonable, as it does not bear upon pending affairs. If, however, the Government should be of opinion that those communications cannot be at once made without affecting the interests of the country, I shall not object to desist from this part of the demand, or shall call for a secret session in order to discuss the subject fully; and also, if the Ministers now present should be enabled at once to furnish that information, and to justify themselves from the censures and grave accusations which weigh upon them, the Senate would be very glad of it, because the subject requires a prompt answer, all delay being highly prejudicial to the Government and to the country."

(The motion of M. Fernandes Chaves was seconded together with the following):—

"I require that this august Chamber be furnished by the proper department with the whole of the correspondence which has passed from the date of the information laid, of the disembarkation in Bracuhy until the present.

"*Palace of the Senate, May* 18, 1853.

(Signed) "D. M. A. MASCARENHAS."

In the Chamber of Deputies on the same date (the 18th May) the Deputy Senhor Nebias rose in his place, and delivered the following speech:—

"Mr. President,—The subject which engages our attention at present is one of a very serious character, and of vast importance for our country in its present state. I wish to afford the Government a solemn opportunity to tranquillize us, respecting the occurrences which took place in the municipality of Bananal.

"I am far from opposing any the most rigorous measure that may be necessary for the suppression of the Slave Trade; I by all means wish that the traffic should disappear from the Empire of Brazil. As a magistrate, I hold that opinion in my district, and I have done something in that sense. When I was President of the province of St. Paul's, I used to say to my most intimate friends, when conversing on the subject of the Slave Trade, and they were assuring me that there was not the slightest suspicion of the importation, or attempt to import Africans at any one point of the province, that it would be a disgrace to me if any landing of them should take place during my government. And I further said, that if by chance any disembarkation were to take place, and if after the employment of all legal means, a complete apprehension of every one of the Africans thus introduced should not be accomplished, I would that moment cease to be President of the province of St. Paul's. As a member of the Legislative Body, I never with greater pleasure reposed full confidence in the Ministry than when the measures were proposed which tended towards the repression of the Slave Trade.

"Honour to the Brazil Government which has understood the principles of the most just state of civilization, and the most urgent necessities of our country! The Ministry of the 29th September, and particularly the Honourable Senhor Eusebio de Queiros Coutinho Mattoso Camara, have acquired for themselves immortal fame. Even if that Ministry, and particularly the ex-Minister of Justice, had not other claims upon public gratitude and esteem, their perseverant efforts towards the repression of the Slave Trade were sufficient to ensure them. The present Ministry has continued to put forth the same energies; steps have been taken on all points to prevent disembarkations, and to capture such Africans as may have been landed; all possible means have been adopted to that effect, both by sea and by land: honour, therefore, to the Government of my country.

"The report yesterday presented by the Minister of Justice is a further proof of the efforts of the Government. From the comparative statement of the disembarkations effected in the different years, we see that in 1851 the importations were reduced to little more than 3,000 and that during the last year (1852) they

fell to about 700. This fact alone proves that Government has not been neglectful of so very delicate a subject; it proves that enlightened opinion of the country is daily more and more aiding the opinion of the Legislative Body and of the Government.

"I shall even make use of this comparative statement to persuade myself that the measures of repression adopted, and now in force, are sufficient; that the complete system of the Law of September, 1850, has efficaciously prevented and guarded against the evil; that it is not necessary for us to go any further; that it will not even be necessary to adopt that reform suggested by the Minister of Justice in his report in order to include in the special jurisdiction of the judicial tribunals all the crimes comprehended in the Law of 1831.

"When, Mr. President, I am convinced that the Government of the country has proceeded with entire good faith and with due vigilance to repress the traffic, when I see that not only the Legislative Body, as well as the measures taken by the Executive, as also still further the late searches in the capital of the Empire, all clearly show what the views of Government are, what interest it takes in respect to this important object, I have reason to say that it has no occasion to commit excesses in order to justify itself in the eyes of civilized nations.

"Sirs, the complete suppression of the Slave Trade is not the business of one day; it is an undertaking of great labour, and requires much time. England itself, that nation which has fought for the establishment of humane principles, and which most particularly on this head has rendered very expensive services to the cause of humanity, England itself, with how many difficulties, with how many contrarieties has it not been forced to contend, Mr. President? The Chamber, all the world, knows that this affair was not decided in one day in the English Parliament. The celebrated motion of Wilberforce, supported by the full force and eloquence of the great Pitt, did not pass, and it was only after the lapse of many years, I think in 1806, that that grand Act took place under the auspices of Fox and of Lord Grenville.

"Afterwards, as your Excellency well knows, the Christian Powers assembled at the Congress of Vienna, and again at that of Verona, where they fixed and established obligatory rules for the carrying out of this delicate object.

"These principles having been established, Mr. President, we see that difficulties and transgressions still continued, against which even the English Government had to struggle.

"Not many years since, I believe it was in 1841 or 1842, I remember having read some very remarkable speeches of that celebrated enthusiast, Lord Brougham. I think, if my memory does not fail, that that great man lamented, in the presence of Ministers, that the Slave Trade, to England's dishonour, was still being carried on in English vessels by English captains. Whilst, therefore, we see that things came to pass in this manner, whilst we are seeing that an undertaking of such high importance and magnitude cannot be suddenly carried out, I have reason to call for very serious explanations on the part of the Ministry touching recent occurrences in the municipality of Bananal.

"I belong, Mr. President, as one of the representatives of the nation, to an essentially agricultural province, to a province a great part of the wealth whereof is invested in slaves. As a representative of the nation I do not only regard the fate of my province; I am mindful of the lot of every province in the Empire, and particularly regarding those which abound in that kind of wealth, as, for example, Rio de Janeiro, Bahia, Pernambuco, and others. Thus, when I see that matters have been conducted, as it is said, in a manner which makes our planters tremble for their property, which disturbs so fatally our society as at present constituted, I have motives for calling upon the Minister for very solemn declarations on this subject.

"Horrible would be that precedent which might set up a system of secret accusations, and still more fatal would it be if slaves were allowed to inform against their owners; that would be a fact that would shake not only the state of my province, but also that of every province in the Empire. Slavery, unfortunately, exists amongst us, and we must of necessity resign ourselves to its sad consequences.

"A disembarkation of Africans took place at the bar of the River Bracuhy, in the province of Rio de Janeiro; that disembarkation escaped the vigilance of the Government, which consequently had to take some measures.

"I am aware that it became necessary to proceed with severity, but never to

go too far—never to put our planters into a state of alarm, never to expose our proprietors who, by legitimate purchase, count thousands of slaves upon their estates, never to expose them to violence, the being informed against, and to be betrayed by their slaves.

"In 1851, when Senhor Eusebio de Queiros was Minister of Justice, upwards of 3,000 Africans were imported, as is confirmed by the present Minister in his report; and I ask, were all of these apprehended? They were not. With regard to the province of Rio de Janeiro I know, by what its worthy President has stated, that of 1,000 and more imported only 200 were captured; of the remainder, disembarked at different times, I have the same remark to make. I did not see that any extraordinary means were employed to search for Bozal Africans where none existed. I do not know whether the Government was accused for not having given an account of the whole of the Africans landed. I therefore wished that the present Government had acted in the same manner, that it had shown the country that it had taken due steps towards preventing the disembarkation and the apprehension of the Bozal Africans landed. I wished the Government to say, My measures were unsuccessful; I did all that was possible to be done. I endeavoured to comply with the law in its most ample rigour, and am not further responsible.

"If it had so proceeded, Mr. President, I am persuaded that the Minister would have been duly honoured, have enjoyed the good opinion of the public, and have been praised for his conduct; a contrary proceeding offends the duties and guarantees of social justice, as well as the imprescriptible rights of a free and independent nation.

"I, Mr. President, do not state that to be a realized fact which unfortunately has been repeated with respect to the seizures at Bananal. Those facts are of such a grave nature and consequence that I merely provoke this discussion in order to afford an opportunity, as I have before said, to the noble Minister, to tranquillize the country and our planters, to destroy calumny and to show those who are interested in the upsetting of our present state, that their plans will be rejected, that the Government does not second seductions, and much less the illegal seizure of legitimate property.

"Is it true that a seizure was made of Bozal Africans in the municipality of Bananal?

"I put this question to the Government, and have my reasons for so doing. I know that the noble Minister will reply to me peremptorily, with the process which may have been instituted. But when alarm and a just dread of such measures and searches, more or less of an extraordinary nature, has been spread in that and perhaps in other places, I have reason to call upon the Minister for explanations on this subject, with his wonted frankness. I am informed, Mr. President, that no seizure was made of Bozal Africans in the municipality of Bananal; that only in the beginning a very few were found in certain places, on certain lands, which I believe do not belong to the municipality of Bananal, and are appertaining to the province of Rio de Janeiro; I am certain that about ten of those were found, who were said to have been part of the Bracuhy Africans; I am informed that the authority of that place, as soon as he received information and instructions, and the force sent from the capital arrived, proceeded to institute strict inquiries and investigations, and effected unexpected searches upon almost every plantation in that neighbourhood. I am informed that those searches were fruitless, notwithstanding the goodwill and care of the authority who conducted those searches, and of the force which accompanied him; it being thus ascertained that Bozal Africans were not to be met with in the municipality of Bracuhy, either because there were none of the said Africans in Bananal or because the speculators who had dealings of that kind knew how to hide them and to elude the strict vigilance of the authorities: I am informed that things having arrived at this point another system was employed; proofs and documents were by all means hunted after, and then the seduction of the slaves was practised. I do not state these as being realized facts, and I know, as I have just now said, that the noble Minister will reply with the judicial process. But I shall be tranquillized if the noble Minister should say that everything was conducted in due form, that no violence nor extortion was used. Let the Government limit itself to telling me so, without entering upon details.

"I am informed that the fatal system of seduction and threats was resorted to; that some slaves under these circumstances ran away from their owners, placed

themselves in contact with the detachment, and by this means were promised money and their freedom for informing against their owners, in order to proceed against these whether they had Bozal Africans upon their estates or not. Others, more faithful to their owners, were frightened, and I do not know whether these were put to the torture; and I am informed, that these measures proving very unproductive, the authority finding himself thus disappointed addressed himself to some of the principal planters, giving them to understand that things were not going on well, that if some Africans were not produced the search would be continued, that processes would be instituted and imprisonments effected; that Government was under the necessity of justifying its efforts by the seizure of some Bozal Africans; that they were therefore to ponder well upon this state of things; that if they wished to meet the views of the Government matters would thus be better settled; that they should therefore agree to deliver up some Africans, although they might be their old slaves, and that those Africans could be seized in parties of 10, 20, 30, 40, or 50, and the affair would thus be settled.

"It appears that the planters, who are rich and disinterested, foreseeing the troubles and vexations which they might have to undergo, assented to the proposal, and *pro rata* among themselves, made presents of 10, 20, 30, 40, or 50 of their Africans to be seized under the denomination of Bozals.

"Let not the noble Minister misunderstand what I have just said; the planters consented to the proposal because they are rich, and judged it better to part with an insignificant part of their property, to deliver themselves from violence and false accusations. Let him not therefore take this agreement as a proof of the existence of Bozal Africans upon their estates.

"There appeared, as I said, Mr. President, as if lost, some 10, 20, 30 Africans, without its being known who had brought them, where they came from, nor whither they were going; without its being known who was the guilty person, nor who were his accomplices; nothing of the kind,—a fact which of itself explains that matters went on in the way I have described.

"Still further, Mr. President, a well-known citizen of the municipality of Bananal, the Commander Manoel de Aguiar Valente, well known even for his manifested tendency towards the repression of the Slave Trade, and a rich planter; this citizen was one of the victims of information laid against him by his slaves. Fortunately his innocence was proved, and he was absolved.

"With others, however, that did not happen, because they did not choose to appeal: they therefore had to be tried by a jury during its appointed session. Then a new history commenced—a new agreement. 'If you wish it (they were given to understand), you shall be absolved, because the opinion of the jury is favourable to you; every one knows that you were not concerned in that speculation; but mind that the judicial authority has appeal at command; you will be acquitted, but you will continue to be imprisoned, and will be sent to the capital; you will suffer an appeal, and the acquittal by the jury will be suspended. If you are not willing to suffer this new evil, then, on the eve of the trial by jury, give 40 or 50 more Africans.'

"Here we have, Sirs, an explanation of the false seizure of 40 or 50 Africans on the eve of the trial.

"This, Mr. President, is a very serious affair. I have a sincere desire to see all these facts refuted; and it is with pain that I enter upon this examination, and the appreciation of these occurrences; even because I am acquainted with that fine youth, so worthy of being better employed, who figured as judge in the whole of this affair. But I am obliged to call the attention of the Government to so lamentable a case.

"These data, Mr. President, have caused me to address to the noble Minister the first point of my interrogations; and from them I conclude that the Africans who were apprehended did not belong to the cargo landed at Bracuhy. Mr. President, I do not choose to enter at present into those details; perhaps I am not enabled to do so: but your Excellency well knows that the subtlety of the slave-dealers is very great, that they daily find out new crafty devices and means for eluding the vigilance of Government. I do not know whether those Africans went through the clearing which was met with, or if they went to the municipalities in my province or to those of Rio de Janeiro; I do not know whether they went inland, or were divided on the coast. Who knows whether a more efficacious search might not be made nearer to us; who knows

that the Government might not be more fortunate if it were to turn its views towards Copa Cabana and the Lake of Rodrigo de Freitas? Who knows whether in the same place where the slave-dealer Riveirosa was arrested, some more successful search could not be made? Who knows that within the last few days a convoy of those Bracuhy Africans has passed by those places?—Enough.

"I tell your Excellency, that I am intimately convinced that the rich planters of Bananal were not concerned in that speculation: those honourable persons have, by long and laborious lives, accumulated fortunes which many are envious of; they did not take any share in that speculation, nor did they stand in need of reproved acquisitions to increase their fortunes; they, who count thousands of slaves upon their estates, were, on the contrary, interested in not introducing that discord into them which might endanger a great part of their fortunes.

"Mr. President, when I think that things came to pass in this manner, I have reason to model, as I have done, the third point of my address to the noble Minister. Will the Government be disposed to restore the slaves to their legitimate owners, if they are proved not to have belonged to the disembarkation at Bracuhy?

"Mr. President, upon this occasion I shall ask the Government to state what system it pursues, what measures have been adopted in order to be able to ascertain that such and such Africans appertain to the disembarkation at Bracuhy, among those who have been apprehended; by what means the Government can distinguish them from the slaves already possessed by the planters. Has the Government caused those Africans to undergo a minute examination? Is there any circumstantial record here, or at the place of the seizure, whereby it is known that those Africans belonged to the disembarkation at Bracuhy? Were the persons interested in the fate of their fortunes listened to or consulted on so delicate a case? I know it is difficult to tell who they belong to, because, as I have just said, the planters had no other remedy but to submit to a sacrifice, in order to free themselves from troubles and persecutions; but, in fine, a premeditated act of Government is sufficient, without the intervention of the owners. I ask, did the Government perform all those acts with strict minuteness, and in the spirit of rectitude and justice, here or at the place of seizure?

"Can it be affirmed that the Africans who are still in deposit, appertain to the disembarkation at Bracuhy? Is there not among them some one who is more 'ladino' (that is, civilized).

"I am informed, Mr. President, that among those Africans sent to this capital, is one of the freed Africans formerly distributed here, and, I believe, was allotted to the late Senator Vasconcellos.

"Now, when all these circumstances appear, when they all reunite to alarm us, have I not reason for addressing to the Government the questions which I put to it? I have the right and the necessity to do so. I await the answer of the Minister of Justice. I wish that Minister to tranquillize the country, to declare with certainty, and formally, that everything was conducted regularly, that our planters have nothing to fear, that the Government is disposed to maintain, to respect their full rights on the broadest scale, and that the delations of slaves and of other intriguers will not be held by the Government as a proof of complicity in maters of slave-trading. I shall now hearken to the Minister."

M. José de Souza Ramos, the Minister of Justice, rose to reply, and said: "Mr. President,—The interpellations of the noble Deputy for the Province of St. Paul's, had for object, as I understood, first to state his opposition to the reform which the Government proposes in the Law of the 4th September, 1850; secondly, his defence of the rich planters of Bananal, complicated in the importation of Africans which lately took place.

"I cannot, Mr. President, accept of the discussion on these grounds; I do not judge the occasion a fit one to discuss whether the Law of the 4th September, 1850, is or not sufficient for the repression of the Slave Trade, nor do I even know whether the mode in which the discussion has been brought on, is the most suitable. With regard to the innocence of the rich planters of Bananal, as the searches have not yet terminated, and processes relative to this subject are still pending, the Chamber will well understand that I cannot also accept a discussion on this head. I cannot accompany the noble Deputy in his defence of

those rich planters, nor can I take upon myself to accuse them; the tribunals upon this affair will decide as they may judge right, nor does the cognizance thereof appertain to the Government. But the interpellations of the noble Deputy may have for object to impeach the conduct of the Government, and on this point I accept the discussion. My object being simply that of showing that the Government acted throughout in this affair with due regularity, with suitable decency, I will, with your Excellency's permission, narrate the whole of what passed from the date of the information lodged of that disembarkation at Bracuhy until the present, and the Chamber will see that the accusations deduced from the motion of Senhor Fernandes Chaves in the Senate, as well as those produced by the noble Deputy for St. Paul's, are without foundation.

"At the commencement of the month of October of last year the Government received information which was transmitted by the Judge of the district of Angra dos Reis to the President of the province of Rio de Janeiro, that an attempt to effect a disembarkation of Africans at Bracuhy would be made in the course of that month. The worthy President of the province of Rio de Janeiro immediately dispatched suitable orders to the legal authorities, and particularly to the Judge of the district, to take measures so as to prevent the disembarkation, and effect the capture of the delinquents and of the Africans, if it should take place.

"At the same time the Government sent the steamer 'Thetis' to cruize off that place. This steamer was kept cruizing there until the end of October, when she was forced to return to this port for fuel.

"On that occasion the commander of this steamer reported that suspicions were certainly entertained of an intended early disembarkation; so much so, that a person named Coimbra was there, and doubtless with the view of aiding the speculation. On the 30th of that same month the Government sent out the brigantine 'Theresa' and the same steamer 'Thetis,' in order to continue cruizing at that point; and as prompt action was required in all matters ordered by the Ministry of Justice, I opened a direct communication with the District Judge of Angra dos Reis, instructing him to take all such measures as the case might require.

"The 'Theresa' remained there a long time, but the 'Thetis' had to return to this port on the 25th November for the same reason as that which occasioned her first return.

"She brought accounts that all the suspicions respecting the intended disembarkation of Africans had vanished, that Coimbra had disappeared from those places since the middle of November, and that no other reason existed for inspiring mistrust, such a length of time having passed away without any slave vessel making her appearance.

"According to the opinion of the commander of the 'Thetis,' who is well known from the zeal with which he has constantly contributed towards the repression of the Slave Trade, the previous suspicions were either groundless, or the slaver had altered her destination.

"This report of the commander's was, as is the rule, addressed to the head-quarters of the Naval Department, and came to my knowledge a few days after its receipt; at the same time that a rumour was spread that a disembarkation had been effected at Sahy, not far from Bracuhy.

"The steamer 'Golfinho' went out immediately to obtain information respecting this rumour, which was ascertained to be groundless, and this served to confirm the opinion of the commander of the 'Thetis;' and not only he, but also the authorities in Angra dos Reis, no longer apprehended the denounced landing of Africans.

"Notwithstanding the watch posted upon Ilha Grande was kept there to give information.

"It happened that on the 12th December, during a storm, and near night-fall, the slaver approached the shore, without its being possible at that time to convey intelligence to the authorities, and effected the disembarkation without being perceived.

"It is here proper to observe that it was the previously expressed opinion of some cruizers that if the slaver then expected were to approach the coast at night, the steamer could not easily hinder her operations, from the nature of that shore.

"In the 'Jornal do Commercio' of this day, in which the motion of Senhor

Fernandes Chaves is published, I do not see any detailed exposition of the reasons for his pretending to accuse the Minister of Justice of negligence in this affair; but I understand that in justifying his motion he alluded to the order sent by me for the withdrawing of the cruizers stationed at Angra dos Reis, and removal to another place in the vicinity of that where the landing was effected.

"Having at the beginning of October communicated to the Minister of Marine the suspicions entertained of an approaching disembarkation at Bracuhy; having at the close of that month, from the information furnished by the commander of the 'Thetis,' renewed the requisition for a cruizing force at that place, at no time have I made a contrary requisition to the Minister of Marine. I could not issue orders, the details of that service being the province of the head-quarters of the marine, which is obeyed by the commanders of the vessels of war. The Chamber has already heard me state the reasons why the steamer which was stationed in the port of Angra returned to this port at the end of November.

"Truly, Mr. President, not long before the disembarkation which took place at Bracuhy, I received information of another projected importation at a place called Lagoinha. This information was transmitted to me on the 9th of November by the Chief of Police of this capital, Senhor Francisco Diego Pereira de Vasconcellos, it having been furnished to him by the Guarda Mor of the Custom-house.

"It is seen that, in consequence of a communication of this nature, I could not but take such measures as the case required, and therefore the correspondence took place which I am going to read."

(His Excellency read the correspondence, copies whereof were transmitted in the despatch dated .)

"Now the cruizers stationed at Ilha Grande, near the port of Bracuhy, were the steamer 'Thetis' and the patacho 'Theresa;' and from what has just been shown, I made a requisition for another cruizer for that place, and the orders transmitted to the local authorities have reference to the steamer 'Recife.'

"From what I have expounded, it is seen that on the part of the Government, all due measures were taken to prevent the disembarkation of slaves in Bracuhy, as long as any reason existed for apprehending that a disembarkation would there be attempted. It is true that at the time of this landing being effected no cruizer was on the spot; but the Chamber is already acquainted with the reason why none was present, and which was the withdrawing of the steamer 'Thetis,' not by my order, but in search of fuel, and because all suspicions had vanished.

"Upon the same occasion on which the Government was apprized of the intended attempt to disembark Africans at Bracuhy, it received information of other intended importations at Itabapoama, Ubatuba, &c. The Government sent cruizers to all these places; it would, however, be impossible for the Government to keep a permanent cruizing force at every place which might once have been denounced, particularly when suspicions, from the lapse of two months, and from the information furnished by competent persons, should have disappeared, as happened in the case in question.

"The disembarkation, as I have already said, was effected on the night of the 12th December; Senhor Fernandes Chaves, in his motion, remarked that the Minister of Justice only on the 26th of that month adopted measures for the apprehension of the Africans. That part of the motion which pretends to induce a belief in that assertion is totally inaccurate. The disembarkation having been effected during the night of the 12th December, and the disembarked Africans having gone immediately into the interior, over the mountains, they not being met with, and no vestige of them appearing on the coast, nor of the crime committed, on the 13th and the following days the local authorities commenced investigations counselled by the fact of the slaver vessel having been seen burning near to the shore, this being the only indication of the crime.

"On the 14th December the Judge of that district addressed a despatch to the President of the province of Rio de Janeiro, acquainting him of the slight suspicion he entertained of that disembarkation having been effected, and the Sub-Delegate also wrote in the same sense. The President of the province being then absent from the capital, only transmitted to me those communications on the 20th. But on the 17th of that month, and with the arrival of the first vessel which had sailed from Angra after the occurrence, it came to my knowledge, by means of

the visit of that vessel by the police, that her passengers talked of that disembarkation in Bracuhy.

"In the official note addressed by the President of the province of Rio de Janeiro to the Government, under date of the 20th December, transmitting the communications received from the authorities in Angra dos Reis, he suggested the necessity of sending a steamer of war to that place, in order to the procuring of precise information, and adoption of such measures as became necessary; but having been informed on the 17th by the police of the rumour spread of that disembarkation, I had already caused a war steamer to proceed to that place.

"There being no vestige whatever upon the coast of that disembarkation having been effected, and the suspicion of it being the result of the mere fact that a slaver had been burnt, a delay took place on the part of the local authority in the answer to my despatch calling for information on the subject.

"Another circumstance occurred, which was, that Don José Mattoso de Andrade Camara, who was acting as Provisional Judge of the district of Angra dos Reis, had handed over his jurisdiction to a substitute, but on the 22nd of that month I received an official letter from the Delegate of Police with minute details of the whole of the occurrences in that quarter. On the 23rd the said President appointed Don José Mattoso de Andrade Camara to the post of Chief of Police, he being then still at Angra dos Reis, and instructed him to proceed without delay to the mountains, whither it appeared the imported Africans had gone, for the purpose of capturing them, placing at his disposal the police force of the province.

"In order that these orders might reach the Chief of Police with the greatest brevity, I caused the steamer 'Recife' to sail with them on the 24th; she returned on the 25th with that magistrate's reply, declining to accept of the post to which he had been appointed. On the 26th the said President appointed to that situation the judge of the District of Angra dos Reis, Dr. Antonio Ladislao de Figueiredo Rocha, who departed on the same day for the mountains, with suitable instructions, taking money for current expenses, as also orders to avail himself of the detachments of the police corps. It may perhaps be said that the Chief of Police would find it difficult to assemble that force; but such is not the case, it being that which could be most readily collected for such a purpose. Any force sent from this capital would be a much longer time in reaching the places on the mountains where it was supposed that the Africans would be found, than those detachments of the police force of the province who were stationed in places through which the Chief of Police had to pass. The force at the disposal of the Chief of Police might be of 100 men, but on the 23rd I sent to him 20 dragoons of the police corps under the command of an officer, and on the 30th 20 more were sent to him, under the command of an officer.

"On the 17th January, when the Chief of Police of Rio de Janeiro was on that mission, he had to send off the first lot of Africans captured under escort; and his detachment being thus reduced, he made a requisition for 30 dragoons. The Government had already foreseen that requisition, because on the 16th I caused 30 dragoons and 50 soldiers of the police corps to march from Rio de Janeiro to reinforce him; so that, without the Chief of Police making use to the full extent of the power granted to him by the President of the province to collect the detachments stationed in the different municipalities of the interior, he, on the 23rd January, had a disposable force of 149 troops of the line.

"Now, the question being purely that of searches by the police, no one could imagine that those planters who possessed the Africans would offer resistance; therefore I suppose that the force at the disposal of the Chief of Police was more than sufficient.

"Eighty-four Africans were captured, as I have stated in my Report, and as is shown by the following official communication. (He reads):

'Most Illustrious and Excellent Sir,

'The Lieutenant commanding the detachment of police stationed at Bananal having received information that a portion of the Bozal Africans landed at Bracuhy existed under an open shed upon the grounds of Manoel de Aguiar Vallin, and this being confirmed by a soldier who went there disguised, the force under the command of the said Lieutenant approached that spot, and being joined by the respective Municipal Judge, the effective seizure was made at 6 o'clock of the afternoon of yesterday of 10 Africans, whereof 8 females and

2 males; a Ladino black who was in charge of them attempted to escape, but was caught.

'*Barra Mansa, January* 17, 1853.

(Signed) 'ANTONIO LADISLAO DE FIGUEIREDO ROCHA.

'*Provisional Chief of Police, &c.*'

'I have to acquaint your Excellency that yesterday, at 6 o'clock in the morning, in virtue of written information handed to me at 5 o'clock, I captured 32 Bozal Africans, part of those lately disembarked at Bracuhy, and dead body of the same description and mark. The unfortunate beings were found in the most lamentable state that can be imagined, it appearing that they were conducted during the night out of the municipality, and that being overtaken by daylight, they were shoved by their conductors into a wood on the grounds of Tres Barras (the property of José Barboza), below the hill of Saint Roque, which may serve as a road to San Paulo, Resende, &c.

'*Bananal, January* 21, 1853.

(Signed) 'ANTONIO GOMES BARBOZA NOGUEIRA,

'*Municipal Judge of Bananal.*'

(Secret.)

'Most Illustrious and Excellent Sir,

'I have to inform your Excellency that in virtue of an official letter from the Inspector of the Ward of Regate, in this Municipality, in which he acquainted me that divers peasants had detained, on the high road between this and Barra Mansa, a portion of Bozal Africans, conducted by unknown persons, who made their escape, I sent Lieutenant Hermenegildo, with the force under his command, to the place pointed out, for the purpose of securing the said Africans. He found them already guarded by the Inspector in a house which is to serve as a toll-house upon the same road. The number of Africans apprehended is 40, including two negresses. Their signs will be stated in the record of the seizure.

'*Bananal, March* 17, 1853.

'To his Excellency Dr. Josino de Nascimento Silva,

'President of the Province of St. Paulo.

(Signed) 'ANTONIO BARBOZA GOMES NOGUEIRA,

'*Judge of the District of Guaratingueta.*'

"The noble Deputy very well knows that those seizures were not effected by the Government. The reports of the authorities state that those Africans were landed at Bracuhy; the persons who have signed those reports are not suspected characters. On the 31st March I addressed the President of San Paulo, calling for the early transmittal of the documents relating to these Bozal Africans now in deposit in the House of Correction, with the declaration of their being free, in order to their being suitably placed.

"The communications received by the Government state that 85 Africans were captured; but in my report I only reckon 84 to be the number, because the Director of the House of Correction where they have been lodged, has informed me that one of them is a perfect Ladino.

"It is not the Government that examines the captured Africans; the noble Deputy well knows that that is the business of the judicial authorities. I called upon the President of San Paulo for the act of the declaration of the freedom of those Africans, which must have been drawn up according to law, and have been preceded by the necessary examinations. I have not yet received it. Those Africans are in the House of Correction, and whoever chooses may see and examine them.

"If the noble Deputy desires it, I am ready to submit them to be examined by surveyors, to be chosen by him. In the information obtained by Government respecting that disembarkation, it is stated that some of those negroes came already Ladinos from the coast of Africa.

"If we were to act upon the principle that after a short time it is not easy to distinguish Bozal from Ladino Africans, the result would be that the disembarkation once effected, and the Africans conveyed into the interior, no further steps are to be taken.

"In the last place, Senhor Pedro Chaves, in his motion in the Senate, wished to know whether the Minister of Justice instructed the Municipal Judge of Bananal not to appeal against the sentence, if the planters of Bananal were willing to deliver up a certain number of slaves. I did not give any such instructions.

"Mr. President, I feel some difficulty in continuing this discussion, because, whilst desirous to furnish every kind of information, to show the regularity of the proceedings of the Government in this affair, I do not in any manner wish to touch upon the pending suits, nor to blame nor accuse any person; that would neither be convenient, nor is it my province to do so.

"I meet with the same inconvenience in a matter which the noble Deputy judges to be of so serious a nature; it appears to me that to call upon the Government to account for all the minutiæ of the endeavours made to discover and punish crime, some of which have still to produce results, is the acmé of requests.

"But the Chamber has already seen that as I have already perceived that the drift of the motion made in the Senate, and of the interpellations in this house, is to blame and accuse me, certainly most unjustly, I have, in order to throw light upon the subject, read to the Chamber some letters on secret service. I shall still read another, wishing, however, that all persons of sense will duly appreciate the circumstances.

"As soon as information reached the Government from the Delegate of Police at Angra dos Reis that that landing of Africans had actually been effected, I addressed the following despatch to the President of the Province.

[His Excellency here read the despatch alluded to, a copy of which was transmitted in the despatch of the 7th of February last.]*

"I have read this secret despatch in order that the noble Deputy may clearly be acquainted with the views of the Government relative to this affair, and what instructions were given to the authorities.

"I am well aware, Mr. President, of the inconvenience of searches of this description upon plantations; but it is also necessary to acknowledge that much greater inconvenience would arise from the continuation of the Slave Trade.

"The Slave Trade, in this case, presented itself under a new point of view. The Law of the 4th September, 1850, efficaciously provided for the case in which Africans, met with on the shores, or in warehouses close to them, should be dealt with, because that was the system upon which the Slave Trade was carried on; but latterly we have seen a speculator, by previous agreement, effecting a disembarkation, and immediately hurrying the Africans into the interior. Now, if under these circumstances the Government should consider itself deprived of the power to act, if it were not to order searches to be made on shore, the Slave Trade would be vigorously revived.

"The same difficulty is observable as regards the keeping watch upon the whole extent of our coasts, nor do we at present possess the necessary means for that purpose; and I do not think it possible to suppress the Traffic effectively by the sole means of cruizers. The searches carried on to the places where the Africans were taken, tend to inspire alarm in the minds of the planters, and by reducing the facilities of introduction into the plantations of Bozal Africans, the speculators will lose courage.

"The Chamber must be aware that whilst these searches, and the seizures of Africans were going on in the interior municipalities of Rio de Janeiro and San Paulo, the greatest clamour was being raised against them; almost every day, in every newspaper, publications appeared discrediting the measures of the Government; depicting these provinces in a most deplorable state, and on the eve of being devastated by insurrections. Meanwhile the searches are being continued; nothing of the kind has happened: none of the announced misfortunes have come to pass. The danger of insurrections, in my opinion, lies in the continuance of the introduction of Africans; it is for the interest of the planters that the utmost rigour of repression should be enforced.

"In all matters of such grave importance, the Government always pays the greatest attention to every rumour—takes into consideration every the smallest suspicion. On the occasion of the disembarkation at Bracuhy, it was suspected that some of the Africans had been brought to the municipality of this capital; the Chief of Police instituted investigations and examinations; none were dis-

* See Class B, presented 1853, No. 99, page 233.

covered. If the noble Deputy alludes to those old rumours, I beg of him not to attach any importance to them; if he alludes to some new rumour, I assure him that I have not heard of any.

"From what I have said it is seen that the Government, on receipt of information that a disembarkation would be attempted at Bracuhy, took such measures as were at command in order to prevent it; that after it was effected, without the Government being to be blamed on that account, it adopted prompt and suitable means for the apprehension of the Africans and the discovery of the criminals, within the limits of its legitimate attributions, and proceeded with due regularity.

"Thus, both the accusations of negligence mooted in the Senate, and those of violence brought forward in this Chamber, are eminently unjust and unfounded. My intention having been simply to explain the proceedings of Government, I here conclude."

Senhor Figueira de Mello.—"Being an enemy to the Slave Trade, I sincerely applaud the progress of public opinion on this subject, because I see that the greatest agriculturists of our country, that all the authorities, that our citizens in general, are now convinced that that Trade is immoral and prejudicial to the country. I applaud it still more sincerely, Mr. President, when I see that those same persons who formerly took part in that shameful Traffic, now raised to certain positions, endeavour to repress it, and with the enthusiasm, with the faith (if I may be permitted to use the expression) of renegades. But I cannot withal, Mr. President, help disapproving the searches which the Minister, in order to repress the Slave Trade, has ordered to be made upon divers estates whenever he has known that a disembarkation has been effected upon our coasts.

"In my opinion, Mr. President, if the Government increased the number of its cruizers, as it should do, for that purpose, instead of meeting with opposition it would have full cooperation on the part of the Legislative body; I am of opinion that the number of the detachments should be multiplied upon our coasts, on our beaches, and at those places where disembarkations can be effected, to prevent their being effected with impunity; I am opinion that the Government should be most scrupulous in the selection of those delegates who are near to those landing-places, in order to avoid connivance between them and the African slave-dealers; but I cannot help strongly reproving that policy which causes searches to be made on the estates of our proprietors, holders of slaves, and which maintains that such acts are proper and necessary.

"Of a certainty, every time that those estates are searched upon which there are numerous slaves, they necessarily will be sensibly affected by that act of the Government; the slaves will doubtless ask why the Africans are sought for, and whether the captured Africans ought or not to be subject to slavery; and upon comparing the future state of the captured Africans with their own, those slaves will naturally revolt at the idea: the result of those acts of the Government will be that of the insurrection of the slaves upon our estates, and we shall be forced to employ very strong measures to contain them, and preserve public safety.

"If in those countries where the slave population is much smaller, where it is more under subjection than in ours, insurrections sometimes break out, how much ought we not to fear them in our country, which may be said to be peopled with slaves? And moreover, those insurrections have already appeared in different parts of the Empire, and for their not having been more dangerous we ought to be very thankful to Providence, for having delivered us from the terrible consequences which such acts might produce, and which in other countries have been so fatal.

"Censuring, as I do, Mr. President, the searches, by order of the Government, of the plantations of our proprietors, with the pretext of information laid that free Africans were hidden there, I do not mean to say that a search ought not to be effected upon this or that estate, when the Government, impelled by weighty reasons, by a well-founded accusation, and which almost amounts to a certainty, can carry into effect the apprehension of such Africans, because in that case I am persuaded that the act of the Government, or of the police authorities, would be useful, and that upon no account should there be an asylum for criminals in our country.

"But to effect searches upon all the plantations in a municipality, on account of information groundlessly lodged and inconsiderately accepted, as happened in

the municipality of Bananal in the province of San Paulo, and in some others of the province of Rio de Janeiro, appears to me a proceeding exceedingly prejudicial to the public weal. I look upon such a proceeding as not only disturbing the rights of proprietors, and being the cause of the insurrection of the slaves, but also that it must open the door to many acts of injustice.

"It has been observed, and my own experience has convinced me, that there are slaves, long since imported from Africa, who have never learned the language of the country,; and if such slaves should be met with upon estates, as has happened, ought their owners to be considered guilty of the crime of importing Africans, although they are in reality innocent? Besides, if by chance these accusations should continue, if they should be hearkened to by the Government and its agents, and the searches be prosecuted upon every estate, the results will be, as experience has shown, that many of those slaves, in order to be considered as newly imported, try to speak our language badly, pretend that they do not understand it, and consequently they are apprehended as free Africans, and the fortunes of their owners are thus much impaired. I therefore disapprove, Mr. President, highly disapprove, all those searches which the Government has so imprudently ordered to be effected upon the estates of our proprietors, and I am of opinion that the Government ought to multiply its efforts, its repressive action of the Slave Trade, by means of steaming or sailing cruizers; of detachments on our shores of police authorities, worthy of its confidence and capable of performing their duties in a proper manner; and I pray that only in very rare and exceptional cases a plantation may be ransacked to capture recently imported Africans.

"Speaking now relative to the disembarkation which took place in the port of Bracuhy, I cannot but deplore the continued infelicity that accompanied the noble Minister of Justice throughout the whole of this affair. The noble Minister told us that he had received information on the of October, 1852, that a disembarkation of Africans was to be attempted in the port of Bracuhy, or on the island of Meros; and that in consequence he sent the necessary orders to the authorities of the district of Angra dos Reis, to the President of the province of Rio de Janeiro; that he sent the steamer 'Thetis' to cruize off that spot, and stationed there that steamer and the brigantine 'Thereza,' until the end of November, but that subsequently he received information that the rumours of a projected disembarkation at Bracuhy had entirely subsided. To prove this assertion, the noble Minister said that the commander of the 'Thetis' had assured him of it in his despatches, and he added that it was so far correct, inasmuch as that a Portuguese named Coimbra, who had been there to aid the disembarkation, had disappeared since the 15th November of that year. The noble Minister also said that he had received other information of a contemplated disembarkation at Lagoinha near Rio de Janeiro.

"But I will ask the noble Minister, notwithstanding the great desire of the commander of the 'Thetis' to persecute the slave-dealers, of which, as the Minister told us, he had given proofs on former occasions, ought he to have set such value on the opinion of that officer as to have despised the information received that disembarkations were projected? It appears to me that information of this nature, which had deserved so much attention on the Minister's part as to have caused him to transmit the most positive orders to the President of Rio de Janeiro, and to other authorities, ought not to have been lost sight of, only because the commander of the 'Thetis' had reported that suspicion of the landing had vanished.

"I therefore think that the Minister acted inconsiderately in withdrawing the cruizers from Bracuhy to the port of Lagoinha. The noble Minister says that he did not withdraw either of the cruizers; but the fact is that those vessels were not where they were wanted. For some time the cruizers were at Bracuhy in consequence of orders given to them; they, however, did disappear from thence, and if they did so to the detriment of the public service, and without orders, then it appears to me, their commanders should be made responsible, which has not yet been done.

"Besides, Sirs, if the 'Thetis' had to return to this port for fuel, as the noble Minister assured us, it appears to me that this circumstance should have been foreseen, and that one of the steamers in this port should have been sent out before she left Bracuhy to substitute her. The Ministry ought to have taken into consideration that the 'Thetis's' fuel would only last a certain time, and it was

its duty to send a fresh supply by some other vessel, if another steamer to substitute her could not be sent.

"I will add, that it really appears to me extraordinary that the slave-dealers should have guessed the intentions of the Minister, and that two or three days after the departure of the cruizers the "*Camargo*" should have presented herself at the port of Bracuhy, have disembarked the Africans, and have been burned on the following day.

"It also appears to me that I had heard the Minister say that he had not recalled the cruizers from the port of Bracuhy, and that the orders to that effect were given by his colleague of the Marine. I cannot, if such was the case, but observe that in an affair of such importance, in which the Ministers of Justice and Marine should march together in the most cordial understanding, that cordiality and good understanding did not exist so as to avoid the fact, the consequences of which we so much deplore.

"Whilst on one hand, I remark ill luck of the Minister of Justice after having taken such various measures to prevent the disembarkation of Africans, I on the other hand deplore the good fortune of the slave dealers in having quietly discharged their cargo there without being disturbed by any one of the cruizers; nor can I but be sorry that the measures taken by that Minister were so tardily taken, and that, from their nature, they produced no effect.

"The disembarkation took place on the 13th December of last year, but the Chief of Police appointed to proceed in search of the Africans, and to punish the slave-dealers, only left this city on the 26th. In order to justify this fact the Minister of Justice said that the effectual Chief of Police was sick, that another magistrate, who was appointed to substitute him, did not choose to accept of the mission, and that he afterwards only found Senhor Figueiredo Rocha, Judge of the district of Resende, willing to undertake it. Here is another proof of the Minister's bad luck, and of the good fortune of the slavers.

"Fourteen days having elapsed between the disembarkation of the Africans and the departure of the Chief of Police, it was impossible that the Africans should not have had sufficient time to gain the interior, principally from the notable circumstance, as I have heard, of the slave-dealers having made a road or clearing close to the port of Bracuhy leading to the province of San Paulo, and but few leagues distant from the province Minas Gerães. In truth, if the measures of the Minister only appeared on the 26th December, what could have hindered the Africans from being conducted into the interior? I therefore deplore the ill luck which persecuted the Minister in this fatal affair.

"Nor can I refrain from censuring the Minister with regard to the nature of those measures. The Minister had to dispatch the Chief of Police, Senhor Figueiredo Rocha, on that mission on the 26th, and what were the means provided by the Minister for that authority to compass the *desideratum* he had in view? Why, he only furnished him with 1,000 milreis, and with an officer of the police corps. The noble Minister said that he had given him orders to employ the detachments of Bananal and of Rio de Janeiro; but everybody knows that time is required for their answering the call of the authority.

"If the Minister had at once sent the necessary force with the Chief of Police, was it not probable that that force, immediately after landing, could be employed in the searches, and thus precious time would have been saved? The reason given by the Minister that that force might have been fatigued cannot prevail; and I may almost say that the noble Minister in this respect only did what one of our Ministers of War did in the year 1835, who, in order to put down the rebellion in Pará, sent a Major-General there, with six officers and a few foot soldiers. Now these measures were certainly inefficacious for obtaining the end desired by the Minister, and their adoption does not correspond with the well-acknowledged ability of the noble Minister of Justice.

"It is true that the Minister said, that previous to the departure of the Chief of Police he had sent off a respectable force of cavalry to the province of Rio de Janeiro; but that does not weaken my argument, because even if that force were to be placed at the disposal of the Chief of Police, it would require time to reunite and put the same in the way of the searches, and as these could not be realized immediately after the arrival of the Chief of Police, as they should have been, it is clear that the importers of the Africans must necessarily have been allowed more time for conveying them inland, and to laugh at the measures of the police.

"The Minister, after stating to us that the Chief of Police of the Province of Rio de Janeiro had under his orders from 150 to 200 soldiers of the line and police, and could with these issue his orders, concluded that it had not been for want of a force that the Africans had not been captured. I must, however, observe, that I do not accuse the Minister of not having furnished sufficient forces to the Chief of Police, but that it was not furnished in due time, and in the manner in which they might have been usefully employed.

"I am certain that our planters, who are well behaved, would not make any resistance to the police authorities, and consequently I do not blame the Minister for not having presented to the Chief of Police such a force as would have destroyed all resistance; but I blame him for not having thought it better to let that force accompany the Chief of Police, than to make the latter depend upon that which he might find in the province, and it would require time to collect.

"I cannot further help deploring that the measures employed by the noble Minister of Justice, and by the magistrate employed by him for the apprehension of the Africans, and prosecution of the slave-dealers, proved fruitless; and that, notwithstanding the great pains which the Minister took for that purpose, it appears that the individuals sentenced by the authorities in Bananal as authors or accomplices in the disembarkation at Bananal have been acquitted.

"The noble Minister has already presented us, in his report, with the fact of the accused Manoel de Aguiar de Velim having been absolved by the Court of Appeal.

"I understand that all the other accused persons were acquitted by the jury in Bananal by virtue of an agreement between them and public justice. The noble Minister, replying to the interpellations made on the subject, told us categorically, that he had not given orders not to appeal from the sentence of the jury in the event of its acquitting the prisoners. But, Sirs, it is to be deplored that facts have taken place in such a manner as to turn appearances against the authorities who influenced or intervened in this affair.

"I shall in the first place note a circumstance which appears very extraordinary, that is, that the slave-dealers (a thing never before known in this Empire) should have gone to deposit 40 Africans in a given place, that information should immediately be communicated to the authority in Bananal, and that those Africans should be immediately captured! Such a fact, so extraordinary a fact, never before happened in the Empire, and experience shows us that the slave-dealers take great care of their so-called slaves, and do not expose them to the authorities. . . . Notwithstanding, this is what occurred at Bananal.

"In the second place, I shall note that scarcely had the Africans been apprehended, those individuals who were accused gave themselves up to justice in order to undergo their trial by the jury which was then assembled; and that the seizure having been effected on the 17th March, they presented themselves on the 18th, their respective cases were submitted to the jury on the 19th, and those planters were on that same day acquitted.

"Finally, I shall observe further that the Municipal Judge of Bananal, acting as President of the jury, notwithstanding the great importance of these cases, did not appeal from the sentences of the jury, and that the defendants being thus free from all danger, celebrated their triumph with fireworks, banquets, balls, &c.

"Now, Mr. President, when I compare all these facts and coincidences with other circumstances, such as that of the Municipal Judge of Bananal's coming to this capital, and the spreading of the rumour, upon his return to Bananal, that if the accused planters were to deliver up a certain number of slaves (Africans), the judge would not appeal from the sentence in case they were absolved, I cannot help deploring that such circumstances should have joined to inculcate the conclusion that those men were acquitted because they presented a certain number of Africans, in order thus to satisfy the demands of the Minister of Justice.

"Persuaded as I am that such agreements are knavish tricks, are infamous acts, I trust that the Minister of Justice will not only cause their authors to be punished, but that the Minister of Justice will furnish this Chamber with such full and positive explanations as will destroy all doubts that may exist on this subject, for the honour of the Government, and for the sake of public morality.

"I have also heard say, Mr. President, that the owner of those Africans, in so extraordinary a manner, having been acquitted, is now endeavouring to have them restored to him, alleging that they had already been a long time in the Empire,

&c.; so that if it should be true, if it be proved that those Africans are in reality Ladinos, all the fruits of the measures taken by the Minister have been lost; the judicial authority did not gain its purpose, and the guilty parties will laugh at the Minister's activity.

"The noble Minister also told us that he could not say whether those Africans at present lodging in the House of Correction were Ladinos or not, no examination of them having taken place here, because that examination was the business of the authorities in San Paulo who had been instructed to do so. I, however, see nothing to prevent the Minister's causing them to be examined here, both for his personal satisfaction, and to avoid becoming Ladinos after a certain time, when it would be more difficult to ascertain whether the person who claims their restitution possesses that right.

"It appears to me that no censure can be cast upon any investigation by the authorities for the purpose of coming at the truth; and even because that suit is to be carried on in San Paulo, nothing can prevent its being sent there after that examination having taking place here. I cannot, therefore, refrain from being surprised that the noble Minister should have had so little curiosity, and have been so indolent as not to have caused that examination to be effected, which might now be so useful to us.

"Mr. President, I here conclude what I have to say upon this subject. I have said, and I repeat it, that I did not hear perfectly all the considerations of the Minister; he spoke in so low a tone, and almost purposely, that although I applied the whole of my attention to the noble Minister's words, I could not hear the historical part of his discourse, nor the conclusions that he drew therefrom.

"In fine, I confine myself to those data, declaring, in closing my speech, that I totally disapprove of the searches effected; and in the second place, I deplore the infelicitous result of the noble Minister's measures throughout the whole of this affair, and the success of the slave-dealers during his Ministry."

No. 93.

Mr. Jerningham to the Earl of Clarendon.—(*Received July* 14.)

(Extract.) *Rio de Janeiro, June* 11, 1853.

WITH reference to the late Mr. Southern's despatches, in which he recalls to the attention of Her Majesty's Government the wish which certain free blacks in Rio entertain of returning to their country, in order to form a colony there, if Her Majesty's Government would furnish them with a passage on board a British ship from hence to Cabenda, I have the honour to state to your Lordship, that no answer has been received at this Legation to either of Mr. Southern's applications on the subject.

I have been informed by Her Majesty's Consul at Rio, that some of these free negroes are still counting upon the promise that has been made to them, their project having met with the approbation of Her Majesty's Government; and Mr. Consul Westwood tells me they are continually coming to him to inquire if any final answer has as yet been returned.

Should Her Majesty's Government be still disposed to lend a favourable ear to the application of these free negroes to carry out their wishes for establishing a colony, it would be a very beneficent and charitable act to afford them the means of repairing to Africa.

No. 94.

Mr. Jerningham to the Earl of Clarendon.—(*Received July* 14.)

My Lord, *Rio de Janeiro, June* 11, 1853.

I HAVE the honour to inclose a translation of certain propositions which have appeared in a Rio paper, said to have been made by Mr. Schenck, American Minister at this Court, to his own Government, in order to supply the insufficiency of American cruizers in the repression of the Slave Trade.

As they relate to North American ships engaged in commerce with Brazil, these measures, if adopted by the United States' Government, may prove of some advantage, as the slave-dealers endeavour to make use of vessels supposed, or said to be American property, to carry out their designs.

I have, &c.

(Signed) WM. STAFFORD JERNINGHAM.

Inclosure in No. 94.

Extract from a Newspaper published in the City of Rio de Janeiro.

(Translation.)

FROM the same newspaper it would appear that Mr. Schenck, the American Minister at this Court, in the despatches addressed to the Government of the Union, proposes the following measures to be adopted towards the suppression of the African Slave Trade, in consequence of the insufficiency of the American cruizing force, viz. :

1. The prohibition of all trade in American vessels between Brazil and the coast of Africa, in order thus to avoid the prevarications now practised.

2. The prohibition of the exportation in American vessels, of all such articles as are employed in the Slave Trade, such as gunpowder, &c.

3. To prohibit the sale of vessels with the sanction of the Consuls.

4. The immediate reorganization of the naval force on the Brazil station, supplying it with fast-sailing vessels, and of a light draught of water, in order to give chase to those vessels which take refuge in the small bays.

No. 95.

Mr. Jerningham to the Earl of Clarendon.—(*Received July* 14.)

My Lord, *Rio de Janeiro, June* 12, 1853.

I HAVE the honour to inclose a copy of a despatch from Her Majesty's Consul at Bahia, transmitting an extract from a report of the President of Bahia at the opening of the Provincial Assembly on the 1st March, relative to the Slave Trade, in which his Excellency shows himself determined to put down the Traffic in Slaves, and prosecute its authors.

I have, &c.

(Signed) WM. STAFFORD JERNINGHAM.

Inclosure 1 in No. 95.

Consul Morgan to Mr. Jerningham.

Sir, *Bahia, May* 4, 1853.

WITH reference to my despatch of the 19th of February, I beg to inclose you copy of a paragraph of the Report addressed by the President of this province to the Provincial Assembly in relation to Slave Trade; and thereby you

will see that some of the observations I had the honour to make in the above-mentioned despatch are fully borne out by his Excellency's declaration to that Assembly.

I have, &c.
(Signed) JOHN MORGAN, Jun.

Inclosure 2 in No. 95.

Extract from the Report of the President of Bahia, at the opening of the Provincial Assembly on the 1st March, 1853.

(Translation.)

DURING the year which has just ended, not one case of the disembarkation of Africans in this province has occurred; the orders transmitted by Government to prevent them are most severe, and I reckon on their being strictly complied with. The continued cruizing of the vessels which compose our station, and the organization of the 6th Company of Police destined to guard the southern districts of the province, will render any speculation on the part of those external adventurers, who are never at rest, more hazardous. It is not possible, on so extensive a sea-coast as ours, which is partly a desert, entirely to avoid some disembarkation; but I can assure you that the persecution of the Slave Trade, and of its authors, will not be wanting, whatever may be the place in which either may shelter themselves.

No. 96.

The Earl of Clarendon to Mr. Jerningham.

Sir, *Foreign Office, July* 18, 1853.

I HAVE to refer you to Mr. Hudson's despatch* of the 14th of July, 1851, stating that he had deposited in the archives of Her Majesty's Legation at Rio de Janeiro some original papers which had been found in the possession of Jacintho Derizans, master of the Sardinian slave-vessel "*Valoroso*," which was captured off the harbour of Rio de Janeiro on the 17th of June, 1851, by Her Majesty's ship "Sharpshooter."

You will find in the list of those papers two numbered and described as follows: "16. Dated 25th June, 1850, F. A. Flores to Captain Jacintho Derizans, from Loanda, desiring him to make for Quicombo, and giving him directions how to act; telling him that the 'Cyclops' was cruizing between Ambriz and Mossullo, and that if he should be chased he must go to Ambrizette." "17. Dated July, 1850, Jacintho Derizans to F. A. Flores (draft), complaining that he was at a loss to know whose orders he should follow," &c.

As Her Majesty's Commissioners at Loanda have reported, in a despatch† of which the inclosed is a copy, that the above-mentioned F. A. Flores is still residing at Loanda; and that successive Governors of the province of Angola have declared that they cannot meddle with that person, because no proof has been brought forward showing that he has been engaged in the Slave Trade; and as it may be necessary that Her Majesty's Government should instruct Her Majesty's Minister at Lisbon to demand the expulsion of F. A. Flores from Loanda, I have to instruct you to transmit to me properly certified copies of the two letters from and to Flores which are above described, and also of any of the other letters mentioned in the same list which may contain evidence sufficient to prove that other persons belonging to the province of Angola besides Flores have been engaged in the Slave Trade.

I am, &c.
(Signed) CLARENDON.

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* See Class B, presented 1852, Inclosure 17 in No. 138. † Class A, No. 66.

No. 97.

The Earl of Clarendon to Mr. Jerningham.

Sir, *Foreign Office, July* 28, 1853.

I HAVE received your despatch of the 11th ultimo, inclosing a Report of the Debates in the Brazilian Senate and Chamber of Deputies on the subject of the disembarkation of newly-imported Africans at Bracuhy on the 12th of December last; and I have to inform you that I approve of your having made that report to me.

I am, &c.
(Signed) CLARENDON.

No. 98.

The Earl of Clarendon to Mr. Jerningham.

Sir, *Foreign Office, August* 6, 1853.

I HAVE received from Mr. Morgan, Her Majesty's Consul at Bahia, a report of the circumstances under which the Chief of Police of that city detained for some days a Netherland vessel, called the "Gouverneur van der Eb," which was ready to sail for the coast of Africa, and endeavoured to oblige her master to convey thither some free negroes whom the authorities of Bahia intend to transport to Africa against their will.

I have to instruct you to protest in strong terms to the Brazilian Minister for Foreign Affairs against this act of the Chief of Police at Bahia, and to state to his Excellency that it appears to Her Majesty's Government that the conduct of the President of Bahia in this affair is hardly less to be condemned, because he not only abstained from punishing the Chief of Police for his proceedings against the Netherland vessel, but also declared, as Mr. Morgan was informed, that he meant to compel foreign vessels to assist in carrying into effect the provisions of the Brazilian law with regard to the transportation of free negroes.

You will warn the Brazilian Government of the consequences of any such attempt being made upon a British vessel, and you will inform them that Her Majesty's cruisers will receive special instructions to watch the proceedings of the authorities of Bahia in this matter.

I am, &c.
(Signed) CLARENDON.

No. 99.

Mr. Jerningham to the Earl of Clarendon.—(*Received August* 13.)

(Extract.) *Rio de Janeiro, June* 27, 1853.

I ANNOUNCED to your Lordship in my despatch of the 11th instant, that Senhor Souza Ramos, Minister of Justice, was reported to have tendered his resignation, and that he would probably be succeeded by Senhor Vasconcellos, the Chief of Police.

I now have the honour to inform your Lordship that Senhor Souza Ramos has quitted the Ministry, but that instead of Senhor Vasconcellos, Senhor Luis Antonio Barboza has been appointed his successor.

The nomination of Senhor Barboza to the Portfolio of Justice, from what I am given to understand, appears likely to produce an exceedingly favourable influence on the great question of Slave Trade repression, which the Brazilian Government have now boldly, and I hope sincerely, taken in hand.

Senhor Barboza was lately President of the large province of Minas Geraes, of which he is a native, and possesses a considerable fortune which he inherited from the gold-mining speculations of his deceased father, and although this would naturally place him in a position to be beyond the reach of extraneous influence,

yet I am assured he brings likewise with him to his official station a still more valuable appendage, viz., the reputation of a high character.

In fact, he has already exposed what are his convictions and opinions regarding the Slave Trade to a person who has reported them to Her Majesty's Legation, from which it seems that he is determined to watch incessantly and crush the projects of the slave-dealers wherever they are to be discovered, and that he is likewise willingly prepared to receive information on this head from Her Majesty's Legation, as well as to acquiesce in the adoption of any measures that may be requested of him for the efficient repression of the traffic.

This gentleman was heard to observe the other day that if a single African slave should be imported into this country during his tenure of the seals of justice, he would immediately resign, and go and bury himself in his native province of the Mines.

It is likewise very fortunate that Senhor Vasconcellos, Chief of the Police, now temporarily superseded by Senhor Sigueira during the Session of the Chambers to which he is a deputy, should be a personal friend of the new Minister of Justice. They were brought up together as brothers, and possessing identical sentiments regarding Slave Trade, they will, by indubitably acting in concert, present a formidable appearance to the ever-vigilant gang of slave-dealers who, although cowed and dispersed at present, are always ready to take advantage of any schism that may exist in the Cabinet, or misunderstanding that may manifest itself between the Brazilian authorities.

I must further observe, in justice to the Minister for Foreign Affairs, Senhor Paulino José Soares de Souza, that his Excellency appears to have embraced most excellent sentiments with regard to putting an end to the Slave Trade; the language which he has held to me on this point has been certainly decided and satisfactory, and if we may judge of things by their results, it must appear evident that the Brazilian Government have at last adopted the wise alternative of persecuting the Slave Trade in an effective manner, for since the notorious disembarkation at Bracuhy in last December, no slavers, as far as has come under the cognizance of this Legation, have landed Africans in any part of Brazil.

No. 100.

Mr. Jerningham to the Earl of Clarendon.—(*Received August* 13.)

My Lord, *Rio de Janeiro, July* 4, 1853.

I BEG to inclose to your Lordship a copy of a note which I addressed to Senhor Paulino on the 27th of June, in consequence of the reappearance at Santos of the slave-dealer Valencio Leonil, who in the year 1850 was accused of being privy to the murder of a seaman belonging to the crew of Her Majesty's ship "Rifleman," and who, in consequence of the pursuit of justice, had fled from this country.

I hear from a private source that the Minister of Justice having been apprized of the return of this presumed assassin, had taken measures to find him out in his present retreat, which is described as being in the house of his brother-in-law, Vasconcellos; and though I have not received as yet from Senhor Paulino an answer to my note inclosed above, I am confident that steps will be taken to drive away this dangerous person, who is said to be concealed at Santos, in the vicinity of the place where there are rumours of a slave-vessel being expected during the course of this month, of which he is the agent.

I have, &c.

(Signed) WM. STAFFORD JERNINGHAM.

Inclosure in No. 100.

Mr. Jerningham to Senhor Paulino de Souza.

Sir, *Rio de Janeiro, June* 27, 1853.

WITH reference to the correspondence which took place between your Excellency and Mr. Hudson, Her Britannic Majesty's Minister at this Court, concerning the Portuguese, Valencio Leonil, a slave-dealer, who was accused of being privy to the murder, near Perequé, of one of the seamen of Her Majesty's ship "Rifleman," and more particularly to your Excellency's note to Mr. Hudson, dated the 28th February, 1851, in which it was stated that the Imperial Government, fearing the want of sufficient proof (because it was not to be supposed that the individuals who had taken a part in, or assisted at this aggression, would criminate themselves), might occasion Valencio's acquittal by the jury, had ordered, by anticipation, that in case of the acquittal of the said Portuguese, Valencio Leomil, he should be expelled from this Empire.

I have consequently the honour to inform your Excellency that this individual, who appears to have left Brazil since the period above alluded to, has lately reappeared at Santos, and that he is at present hiding from public notice, in company with another Portuguese, whose name I do not know, in the house of his brother-in-law, Vasconcellos, in that city, where he is reported to be awaiting the arrival of a slave-vessel of which he is the agent, and against which information has been lodged.

Your Excellency undoubtedly will recognize the expediency of immediately causing steps to be taken to drive away this dangerous character from the Empire, into which he has been forbidden to enter by the former orders of the Brazilian authorities, and in doing which the Government of His Imperial Majesty will be rendering an essential service to the great cause of the suppression of the Slave Trade.

I avail, &c.
(Signed) WM. STAFFORD JERNINGHAM.

No. 101.

Mr. Jerningham to the Earl of Clarendon.—(*Received August* 13.)

My Lord, *Rio de Janeiro, July* 13, 1853.

I HAVE the honour to inform your Lordship, from what I have heard on creditable authority, that a Roman brig, named "*Maria*," left Buenos Ayres on the 22nd of March last with a cargo of horses, which were disembarked at Maldonado, from whence she set sail for the coast of Africa. Her destination on her return is supposed to be the Havana.

A Bolivian schooner, called "*Lucrecia Borgia*," quitted Buenos Ayres in the end of April, also with a cargo of horses, which she landed at Maldonado, and then steered her course to the African coast. She is commanded by a Spaniard named Jorge, and on her return is expected to try to land her slaves in Brazil near Santos, in the province of St. Paul's, during the present month.

The owner of this vessel is M. Guimaraes, the person whom the Brazilian Government wished to send out of the country some months ago. The agent who is to preside at the disembarkation of the slaves is reported to be the notorious Valencio Leonil, to whom I have alluded in my despatch of the 4th instant, and of whom I am happy to say the police are already in pursuit.

As Her Majesty's ship "Sharpshooter" was at Rio, I recommended Lieutenant Parish to cruize off that part of the coast where the slaver is expected. He accordingly left for that destination some days since, and as he is furnished with all the necessary information respecting the points to be guarded, this zealous and experienced officer will probably be enabled to prevent the projected disembarkation.

The Brazilian Government have likewise been informed of these projects, and they have despatched two Government steamers to the point where the landing is apprehended.

I have been informed also that a North American schooner, called the "*Express*," likewise left Buenos Ayres in the month of April for the coast.

The disturbances in the River Plate have doubtlessly furnished suitable occasions for the above vessels to leave those waters without any suspicions being excited.

Yesterday, in a conversation which I had with Senhor Paulino, I mentioned the subject of these vessels having left the Plate with slave-dealing intentions, and warned him to be upon his guard.

He wished me to give him a copy of my list of them, to which I have assented; and when mentioning that one was going probably to Cuba, his Excellency said that the Cuba Slave Trade did great harm, as it kept up the barracoons in Africa; and no doubt he is right, for the persons connected with these barracoons are Portuguese, in correspondence with dealers here, and who will, when they see a fitting occasion, send their slaves again to this country.

When I alluded to the energetic measures which were now being put in force respecting the Traffic in Cuba, and observed that in consequence thereof the dealers would now be trying to turn the tide of slave-trading back to Brazil, his Excellency remarked, "Ah! they must be watched;" and he assured me, that as for fitting out vessels here for Slave Trade, that could no longer be done in any part of this country.

However this may be, I think it is of the greatest importance that every move that the slave-dealers may make ought to excite the greatest vigilance on the part of this Government and of our cruizers; and if nothing is done during this session of the Brazilian Parliament, as was promised in the Speech from the Throne, towards establishing a good system of colonization in Brazil, the want of labour will be soon felt, and then some desperate characters will possibly, in spite of all the precautions the Brazilian Government may take, hazard running their human cargoes, in the hopes of reaping enormous gain.

I beg, in conclusion, to call your Lordship's attention to the great utility which it would be to Her Majesty's Legation at Rio were it notified here by your Lordship's orders, directly any slavers are taken off the coast of Africa, as news often arrives at Bahia and elsewhere of slavers being captured on the African shores, but their names unknown. Now, as it may happen that our cruizers and those of Brazil are awaiting the arrival of a vessel against whom information has been given, but which may have been taken by some ship of the African squadron, it would be of great service to know immediately the fate of such a slaver, as much anxiety might be spared, and the time spent in waiting for her employed in cruizing off the many points of this extensive line of coast.

I have, &c.

(Signed) WM. STAFFORD JERNINGHAM.

No. 102.

The Earl of Clarendon to Mr. Jerningham.

(Extract.) *Foreign Office, August* 30, 1853.

I HAVE to acquaint you that I have instructed Mr. Crawford to send to Her Majesty's Legation in Brazil reports as to any slave-vessels captured, and respecting any other matters relative to the Slave Trade, of which it may be importaant that Her Majesty's Legation in Brazil should have early information.

No. 103.

The Earl of Clarendon to Mr. Jerningham.

Sir, *Foreign Office, August* 30, 1853.

WITH reference to your despatch of the 13th ultimo, I have to acquaint you that Her Majesty's Government approve the measures which you took in order if possible to effect the interception of the Bolivian schooner "*Lucrecia Borgia*," which you had been informed was expected to try to land slaves near Santos; and in regard to your suggestion that it might be useful if you could obtain early intelligence of the capture of any slaves by Her Majesty's cruizers off the coast of Africa, I have to inform you that I have requested the Lords of the Admiralty to send instructions to the Commanders-in-chief of Her Majesty's ships on the west and east coasts of Africa, directing that whenever any slave-vessels may be captured off those coasts, information thereof may be sent by the earliest direct opportunity to Her Majesty's Legation at Rio de Janeiro.

In the mean time I transmit herewith for your information a list of all the captures of slave-vessels made on the coast of Africa which have been communicated to this office by the Admiralty during the last three months.

I am, &c.

(Signed) CLARENDON.

Inclosure in No. 103.

LIST of all the Captures of Slave Vessels made on the Coast of Africa by Her Majesty's Cruizers, which have been communicated to the Foreign Office during the months of June, July, and August, 1853.

Name of Vessel.	Date of Capture.	Where Captured.	By whom Captured.	Remarks.
	1853.			
Brigantine (name unknown) but said to be called "Belline"	April 30	Rio Pongos, west coast of Africa	H.M.S. "Linnet," Commander Need	No slaves. Condemned
Schooner (name unknown)	April 30	Ditto	Ditto	Ditto
Restauradora ..	March 18	New Calabar River, west coast of Africa	H.M.S. "Ferret," Commander Macdonald	Ditto

No. 104.

Earl of Clarendon to Mr. Jerningham.

Sir, *Foreign Office, August* 30, 1853.

WITH reference to your despatch of the 4th ultimo, I have to acquaint you that Her Majesty's Government approve the letter which you addressed to Senhor Paulino, requesting him to take measures for the expulsion from Brazil of the Portuguese slave-dealer Valencio Leonil, who was accused of being privy to the murder of a seaman belonging to Her Majesty's ship "Rifleman," and who it appears fled from justice, but has lately returned secretly to Santos.

I am, &c.

(Signed) CLARENDON.

No. 105.

The Earl of Clarendon to Mr. Jerningham.

Sir, *Foreign Office, August* 30, 1853.

I HAVE received your despatch of the 27th of June, reporting the retirement of Senhor Souza Ramos from the office of Brazilian Minister of Justice, and the appointment as his successor of Senhor Luis Antonio Barboza.

Her Majesty's Government have learnt with sincere satisfaction that this important office is now filled by a Minister who appears to be so determined in opposition to the Slave Trade, and that his humane and enlightened views will be well supported by Senhor Paulino, the Brazilian Minister for Foreign Affairs.

I am, &c.

(Signed) CLARENDON.

No. 106.

Mr. Jerningham to the Earl of Clarendon.—(*Received September* 15.)

My Lord, *Rio de Janeiro, August* 11, 1853.

I HAVE the honour to acknowledge the receipt of your Lordship's despatches dated June 25 and July 6.

With respect to your Lordship's instruction contained in your Lordship's despatch of the 25th June, to state to the Brazilian Government that Her Majesty's Government have received with great satisfaction the intelligence that the Brazilian Government had determined upon banishing the slave-trader Antonio Pinto da Fonseca, and had caused Don Francisco Riverosa to be arrested, I beg to state that I have communicated the tenour of this despatch to Senhor Paulino.

I have, &c.

(Signed) WM. STAFFORD JERNINGHAM.

No. 107.

Mr. Jerningham to the Earl of Clarendon.—(*Received September* 15.)

My Lord, *Rio de Janeiro, August* 11, 1853.

I HAVE the honour to forward to your Lordship a copy of a communication which I have received from Mr. Consul Callander, resident at St. Catherine's, stating that he had learnt that two vessels were fitting out at Monte Video for the Slave Trade, but that he was unable to learn their names or the flag under which they are to sail.

Mr. Callander also says that on the 29th of July a schooner under Spanish colours hove to outside the harbour of St. Catherine's, anchored there, and after remaining five hours, proceeded to the southward under easy sail.

She was reported from Havana to Monte Video with a small quantity of rum and other trifling articles.

Her master gave out that she was going to return to Havana with jerked beef.

Her name, the "*Pepa*," painted black, with a broad white moulding, coppered to low-water mark, has stern-boat, and no maintopmast, and appeared to be about 130 tons.

According to information which Mr. Callander had likewise received, he states that four slavers which had left St. Catherine's for the coast of Africa in 1851 had got safely to Cuba, and landed their cargoes, and that some of the crews

had returned. One of these vessels was commanded by a person named Sumares.

As the Royal mail-steamer "Prince" will leave Rio for the River Plate in a day or two I shall send a copy of Mr. Callander's communication to Mr. Hunt, the Consular Agent at Monte Video, and call his attention to the facts contained in Mr. Callander's despatch, and beg him to exercise the strictest vigilance.

I have thought it right to report this information to your Lordship, especially as I see from statements contained in the public press of several successful Slave Trade expeditions to Cuba, some of them on Brazilian and Portuguese account, that the dealers are directing their nefarious traffic towards that quarter; and to enable your Lordship thus to prepare the British cruizers stationed off Cuba and the authorities of that island, to frustrate any meditated expedition.

I have, &c.
(Signed) WM. STAFFORD JERNINGHAM.

Inclosure in No. 107.

Consul Callander to Mr. Jerningham.

Sir, *St. Catherine's, August* 2, 1853.

I HAVE the honour to apprise you that I am told there are two vessels fitting out at Monte Video for the Slave Trade. They are to take in their water further up the river, and then proceed to the coast of Africa. I cannot learn their names, or the flag they sail under.

Last Friday, the 29th ultimo, a schooner under Spanish colours hove to outside this harbour. She then anchored, and, after remaining about five hours, proceeded to the southward under easy sail. She reported from Havana to Monte Video, with a small cargo of aguardiente and other trifling articles. The master gave out he was going to return to Havana with jerked beef. She is called the "*Pepa*," appeared to be about 130 tons, painted black, with broad white moulding, coppered to low-water mark, has sternboat, and no main-topmast. I do not hear anything suspicious said about her, but think it right to report the circumstance.

Some time ago I was informed that four slavers, which sailed from here to the coast of Africa in 1851, had got safely to Cuba and landed their cargoes, and that some of the crews had returned here.

I regret I cannot obtain more particulars about those vessels, except that one of them was commanded by a person named Sumares.

I have no means of communicating direct with Her Majesty's Chargé d'Affaires at Monte Video.

I have, &c.
(Signed) RANDAL CALLANDER.

No. 108.

Mr. Jerningham to the Earl of Clarendon.—(Received September 15.

My Lord, *Rio de Janeiro, August* 11, 1853.

WITH reference to my despatch of the 13th of July, in which I informed your Lordship that apprehension was entertained here that an attempt would be made to land slaves near Santos, in the Province of St. Paul's, and that I had warned the Brazilian Government of it, and likewise had caused the "Sharpshooter," Lieutenant Parish commander, to be dispatched to the point that was considered dangerous; I have now the honour to inform your Lordship that the "Sharpshooter" returned to Rio this morning, and, after cruizing with considerable activity, directed by the experience and judgment of Lieutenant Parish, who has examined and visited several of the points indicated as suspicious, but has

not fallen in with the slavers that were reported as likely to arrive during the last month.

The Brazilian cruizers are still off that part of the coast, and one of Her Majesty's vessels will shortly return to those localities to continue on the look-out, which will have also the good effect of stimulating the Brazilian cruizers to greater activity.

Last month there was a report of a landing of slaves having been effected in Rio Grande, but I am informed it was a false one, and probably got up by the dealers to answer their own iniquitous designs.

However, should any attempt be really meditated in the south, Her Majesty's steamer "Trident," which I am told is coming up directly to Rio from the River Plate, will probably be able to learn and frustrate it, as she will no doubt be ordered to call at the different southern ports, and coast her way up to Rio de Janeiro.

As yet the police have not captured Valencio Leonil, the person alluded to in my despatches of the 4th and 13th ultimo. He is reported to be still at Santos, or thereabouts, although it was said that he had been lurking in this city during the last month in disguise.

I have, &c.
(Signed) WM. STAFFORD JERNINGHAM.

No. 109.

The Earl of Clarendon to Mr. Jerningham.

Sir, *Foreign Office, September* 22, 1853.

WITH reference to my despatch to you of the 6th ultimo, respecting an attempt which had been made by the Chief of Police of Bahia to compel the Netherland vessel "Gouverneur van der Eb" to convey free negroes from Brazil to the coast of Africa, I transmit to you herewith a copy of a despatch* which I have received from Her Majesty's Chargé d'Affaires at the Hague, in answer to an instruction which I addressed to Sir R. Abercromby upon that subject.

I am, &c.
(Signed) CLARENDON.

No. 110.

The Earl of Clarendon to Mr. Jerningham.

Sir, *Foreign Office, October* 1, 1853.

I TRANSMIT to you herewith, for your information, a copy of a letter† which has been received at this Department from the Admiralty, addressed by Lieutenant Jolliffe, of Her Majesty's ship "Myrmidon," to Rear-Admiral Bruce, reporting that he had captured off Kilongo, on the west coast of Africa, on the 31st of May last, a vessel named the "*Maria*," without papers or colours, fully equipped for the Slave Trade, which was supposed to have sailed from some port in the neighbourhood of the Havana.

I am, &c.
(Signed) CLARENDON

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* No. 271.

† See Class A, No. 125.

No. 111.

The Earl of Clarendon to Mr. Howard.

Sir, *Foreign Office, October* 7, 1853.

M. MACEDO called upon me a short time ago again to express the earnest desire of his Government that a Treaty for the suppression of the Slave Trade should be concluded with this country.

I informed M. Macedo that the same desire was entertained by Her Majesty's Government, but that from my previous conversations with him I saw little hope of our coming to an understanding upon the subject.

M. Macedo then urged upon me the acceptance of his counter-project of Treaty, which he said would be quite sufficient for any practical purpose, and that as the Brazilian Government had exerted themselves successfully for the suppression of the Slave Trade, they were entitled to expect some concessions from Her Majesty's Government, and above all, that the Act of August, 1845, should be repealed, as it was humiliating to the Brazilian nation.

In reply I told M. Macedo that not only the Government but the people of this country gratefully acknowledged the humane and honourable course pursued by the Brazilian Government, and it was therefore a matter of regret to me that I could not comply with a request to which they attached so much importance; but that the project of Treaty which I had presented to him, and which did not materially differ from that which we had concluded with Portugal, was our ultimatum, and that I could not consent to any modification of it.

I stated further, that although this hateful Traffic had ceased, the spirit of slave-trading was by no means extinguished in Brazil, and that it would certainly again become active if means were not taken by the Government for supplying the want of agricultural labour; and that as regarded the Act of 1845, which had come so usefully in aid of the efforts of the Brazilian Government, I was convinced it could only be complained of by those whose nefarious designs were thwarted by its provisions.

M. Macedo said if such were the views of Her Majesty's Government, he should, although reluctantly, abandon all further attempt to negotiate a Treaty, and that matters must remain in their present state, to which I agreed, as being the position in which it is most desirable for Her Majesty's Government that this negotiation should be placed for the present.

I am, &c.
(Signed) CLARENDON.

No. 112.

Mr. Jerningham to the Earl of Clarendon.—(Received October 15.)

My Lord, *Rio de Janeiro, August* 27, 1853.

I SEE by the public papers that the Commendador José de Souza Breves, on whose estates the landing of Africans took place at Bracuhy in December last, and against whom the Brazilian Government had instituted legal proceedings, was acquitted at Angra dos Reis, in this province, by the unanimous voice of the jury.

This may be agreeable news for the slave-dealers, but the friends of humanity and justice cannot but lament that this person, whom public report designated as grossly implicated in the Bracuhy affair, could not be made amenable to the penalty of the law.

This M. José Breves, notwithstanding his slave-dealing propensities, is a supporter of the present Government, and lives in a splendid house near Pirahy, where he carries on the most liberal hospitality. A great many of the people in those parts are under money obligations to him, so it is not so surprising that a jury was found to pronounce unanimously his acquittal.

As soon as this slave-dealer's innocence was promulgated at Angra dos Reis, rockets and fireworks were let off by some of his friends and admirers, and rejoicings were kept up by the populace to commemorate the happy event.

I have, &c.
(Signed) WM. STAFFORD JERNINGHAM.

No. 113.

Mr. Jerningham to the Earl of Clarendon.—(*Received October* 15.)

My Lord, *Rio de Janeiro, August* 30, 1853.

I BEG to inform your Lordship that I have received a communication from Mr. Bradley, Master commanding Her Majesty's ship "Crescent," stating that the liberated African named Fernandes had been discharged from that vessel to Her Majesty's store-ship "Tyne," for conveyance to England, by order of the Commander-in-chief.

I have, &c.
(Signed) WM. STAFFORD JERNINGHAM.

No. 114.

Mr. Jerningham to the Earl of Clarendon.—(*Received October* 15.)

My Lord, *Rio de Janeiro, September* 12, 1853.

IN obedience to the instructions conveyed in your Lordship's despatch of the 10th July, regarding the papers found in the possession of the master of the Sardinian slave-vessel "*Valorozo*," which was captured by Her Majesty's steam-vessel "Sharpshooter," in June 1851, I have the honour to inclose certified copies of the two letters with the Nos. 16 and 17 in the list of those papers.

On a careful perusal of the papers in question, it does not appear that there exist any other letters containing evidence sufficient to prove that other persons belonging to the province of Angola have been engaged in the Slave Trade.

The letter marked No. 1 in the list, however, may be considered as containing collateral evidence of the culpability of Flores; for although the name is crossed out, there is little doubt as far as the letters can be traced, but that he is the person referred to. I have therefore the honour to inclose a copy of it to your Lordship, and also a copy of a letter, No. 10, from Senhor Ramos to Jacintho Derizans, from which three persons of the name José Maria Matozo, Augusto Garrido, and Lima Vianna, would seem to have been accomplices in the shipment of slaves from Africa.

I have, &c.
(Signed) WM. STAFFORD JERNINGHAM.

Inclosure 1 in No. 114.

——— *to Senhor Jacintho.*

(16.)

Illmo. Snr. Don Jacintho.

Amo. e Snr. *Loanda, 25 de Junho,* 1850.

TENHO á vista á sua carta de 23 do corrente e mais correspondencia, sendo della Portador o seu Piloto o Snr. Lemos. Eu não tinha aviso algum da sua vinda, e por pouco ja me não encontrava nesta.

Oito dias depois de receber esta, recalará V. Sa. o ponto chamado "Quiembe," que fica tres ou quatro milhas ao norte da ponta do Dande, e da maneira seguinte. Hum dia antes do marcado pa. a sua recalada esteja V. Mce. pela altura de Loanda de maneira a não cahir nada pa. o norte para no seguinte dia demandar o ponto despechando com a ponta do Dande a pouca distancia de terra, e depois irá seguindo para o ponto que acima lhe indico: entre a Ponta do Dande e o ponto encontrará o Escaler da vigia. O seu Piloto leva hum riscunho ou pequena planta do ponto e immediacões, e pr. elle melhor se regulará.

O Vapor "Cyclops" cruza entre o Ambriz e o Mossulo, e he por isso que V. Sa. nada deve cahir para o norte. Na ponta do Dande talvez encontre hum pequeno Hiate de nome "15 de Agosto" pertenecente a Estação, e que alli se conserva pa. registrar as lanchas, sua tripulação he de oito homens, commandados por hum marinheiro, por conseguinte medo algum tenha delle, mas se embaraçar o Embarque corra com elle.

No caso de ser perseguido por algum Cruzador, e que V. Sa. veja que elle ficou desconfiado do ponto, entaõ seguirá d'alli a 10 dias para o Ambrizete, mas isto he em ultimo caso. En calculo que se as calmas o não deixarem recalar no dia marcado, o poderá fazer até ao quarto dia seguinte, depois do qual não appareçendo V. Sa. fico entendendo que foi perseguido pr. algum Cruzador e que seguia para o Ambrizete; ficando enteirado que os diz dias devem ser contados depois do quarto dia em que a final o espero no ponto. Responda me a este carta, indicando o dia certo da recalada, contados os oito dias do momento em que receber esta.

Recommende ao Cabinda, patrão desta Balieira, que leve a resposta a Cabolombo, onde alguem espera pr. ella, afim de os Cabindas não virem á cidade dar noticia de que virem.

Goze saude e sou de V. Sa.
Amo. & Vir.
F. ———

(Translation.)

Illmo. Snr, Don Jacintho.

Friend and Sir, *Loanda, June* 25, 1850.

I HAVE before me your letter of the 23rd instant, and other correspondence, which was brought by your mate, Sr. Lemos. I had no information of his coming, and I had not been here for some time.

Eight days after receiving this you will be off the place called "Quiembe," which is three or four miles north of the point Dande, and in the following manner. One day before that marked for your reaching it, you should be in the latitude of Loanda, so as not to fall off to the north, and on the following day seek for the place, keeping a short distance from land near point Dande, and you will then proceed to the place which I have mentioned to you above; between point Dande and the place, you will find the watch-boat. Its pilot has a sketch (?) or little plan of the place and neighbourhood, and by it you will be better directed.

The steamer "Cyclops" is cruizing between Ambriz and Mossulo, and that is the reason why you must not go farther northward. At point Dande you will perhaps meet with a little yacht called "15 of August," belonging to the station, which is kept there to register the boats; her crew is of eight men, commanded by a seaman, therefore there is fear of her, but if the embarkation is inconvenient, run with it.

In case of being followed by any cruizer, and you see that she is suspected from the place, you will ten days after go on to Ambrizete, but this is in an extreme case. I calculate that if the calms do not let you see land on the day marked, it may be done within four days following, after which if you do not appear, I shall understand that you were chased by some cruizer, and that you are gone on to Ambrizete; it is understood that the ten days are reckoned from the fourth, which is the last on which I can expect you at the place. Send me an answer to this letter, naming the exact day of getting the land, reckoning the eight days from the moment of your receiving this.

Direct the Cabinda, the master of this vessel, to take the reply to Cabo lombo, where somebody will wait for it, so that the Cabindas may not come to the city, to give notice of their arrival.

I am, &c.
(Signed) F. ———

I hereby certify that the foregoing is a true and faithful copy of a letter found amongst the papers in the possession of the slaving captain of the Sardinian schooner "*Valoroso*," captured by Her Majesty's ship "Sharpshooter" in June 1851, and which papers are deposited in the archives of this Legation under the official seal thereof.

(Signed) WM. STAFFORD JERNINGHAM.

British Legation,
Rio de Janeiro, September 12, 1853.

Inclosure 2 in No. 114.

——— *to Senhor Flores.*

(17.)

Illmo. Snr. F. A. Flores, Loanda.

Illmo. Snr. *Catão, Julho de* 1850.

ESTAMOS tottal-mente engandos a respeito de saber quem he que deve dar as ordens e a quem devemos obedecer, pello tanto achome no cazo de dizerlhe que quando tomo comando hum navio, fico as ordens deceu dono (meu Mercante) logo que saro ao mar pesando sobre mim toda a responçablidade determino em todos os cazos segundo me parece maes conveniente aos emtresses que se me confiarão e cujas rezulçones são sempre em armonia com as ordens que se me derão, porem uma vez posto debaixo das ordens de Va. Sa. não tanho mais por em quanto a quem atender aquellas, e sim só ao que me der Va. Sa. Tambem digolhe que no escritorio não ha calmas que o brigue e não poder escrever quando he de nasecidade nem menos tem que fugir a caça de navio nenhum, circonstancias todas que permittem deixar correr a penna sem obstaculos e sem se lembrar nas emfindas circonstancias em que pode versse hum navio no mar para provar ambas asserçones direi que. . . . O dia 1 do corrente recolhi a Balieira no momento em que vinha huma Escuna na popa, lida que foi a sua carta tratei de fugir para logo tomar a terra porem as calmas não me prometirão athé o dia 5 que cheguii as Palmeirinhas, ali cassome hum Brigue mais com tudo en as 6 estava a vista de Luanda, eu no dia 7 corri o Dande a Muzulla e de este ao Dande hi nada achei do que se sabe porem ainda hoje estou fundiado e aqui espero novamente a balieira com a qual espero que V. Sa. me di as suas ordens terminantes, pois tudo qto. hum capitão deve fazer he aquillo que seu comrespondente lhe ordena.

Sou de Va. Sa. Co. Ote.

(Translation.)

To Sr. F. A. Flores, Loanda.

Illmo. Snr. *Catão, July* 1850.

WE are wholly at a loss in respect of knowing who is to give orders, and whom we should obey; and in this case I may tell you that when I take the command of a ship, I am at the orders of its owner (my merchant); when I am at sea, the whole responsibility rests on me. I determine, in all cases, as it appears most expedient to me, upon the interests entrusted to me, which are always regulated according to the orders given to me, so that when once placed under your orders, I have nothing to do to attend to others, but only to those you give me. I have also to tell you that in the writing-desk there are no

[passage unintelligible]; all these are circumstances which allow the pen to run without obstacles and without thinking, in the worst circumstances that a ship can be in at sea; to prove both assertions, I will say that . . . . . On the 1st instance, I reached the vessel at the moment when a schooner came up; as soon as I read her letter, I endeavoured to escape to get to land, but the calms would not allow me, until on the 5th day I reached the Palmeirinhas; there I was chased by a brig, but notwithstanding, I came in sight of Loanda, on the 6th; on the 7th day, I ran to Dande and Muzulla, and from this to Dande I did not find what you know, but am still anchored, and here I again expect the vessel with which I expect you will give me your decisive orders; because all that a captain should do is what his correspondent orders him.

I am, &c.

I hereby certify that the foregoing is a true and faithful copy of a letter found amongst the papers in the possession of the slaving captain of the Sardinian schooner "*Valoroso*," captured by Her Majesty's ship "Sharpshooter" in June 1851, and which papers are deposited in the archives of this Legation under the official seal thereof.

(Signed) WM. STAFFORD JERNINGHAM.

British Legation,
Rio de Janeiro, September 12, 1853.

Inclosure 3 in No. 114.

Senhor Ramos to Senhor Jacintho Derizans.

(I.)

Snr. Don Jacintho Derizans, *Rio de Janeiro,* 4 *de Maio de* 1850.

AMANHAA deve V. Mce. seguir no vapor "Camprista" a cidade da Victoria a tomar conta do Bre. "Catão" e seguir nelle á Africa, recalando no "Cuanza" ou Palmeirinhas, para ver se ja la encontra ordens do ——— * a respeito do seu carregamto.; se porem V. Mce. lá não encontrar ordens, então mandará hum Bote a Loanda com a carta que junto para o ——— * mandando lhe V. Mce. dizer em que dia e lugar vem receber a resposta, dando para isso o tempo preciso, thé que chegue de volta o Portador, pois he muito provavel que ainda lá esteja ——— * segundo o que me tem dito a respeito de sua vinda para esta; mas quando mesmo succeda o não encontrar, deve necessariamente achar a ausencia, que dará as Providencias necessarias.

V. Mce. deve fazer todo o possivel para sahir da Victoria quanto antes, pois muito convem que V. Mce. chegue a Africa com a maior brevidade. Deixo de lhe fazer mais observações, pr. que sei que sua intelligencia supeira qualquer esquecimento meo.

Desejo lhe boa viagem e que seja feliz por ser.

De V. Mce.
Amo. Vr. e Crdo.
T. C. RAMOS.

(Translation.)

Snr. Don Jacintho Derizans, *Rio de Janeiro, May* 4, 1850.

TO-MORROW you are to go in the steamer "Camprista" to the city of Victoria, to take charge of the brig "Catão," and go on in her to Africa, looking in at "Cuanza" or Palmeirinhas, to see if you find orders from [Flores] in

* A name occurs in the three places above, but it has been crossed out with the pen. It is evident, however, from what can be traced, that the name is "Flores."

respect to her lading. If you do not find orders, then you will send a boat to Loanda with the accompanying letter for [Flores], sending word to him on what day and at what place you will come to receive the answer, stating for this purpose the exact time when the bearer may come back, for it is very probable that [Flores] may be yet there, according to what he told me, as to his coming here; but if you should not find him, his absence must necessarily be caused by his having to make the necessary preparations.

You must make all possible efforts to leave Victoria as soon as may be, because it is very important that you should reach Africa with all speed. I will not make to you any further observations, because I know that your intelligence will supply my omission.

I wish you a good voyage, &c.

(Signed) T. C. RAMOS.

I hereby certify that the foregoing is a true and faithful copy of a letter found amongst the papers in the possession of the slaving captain of the Sardinian schooner "*Valoroso*," captured by Her Majesty's ship "Sharpshooter" in June 1851, and which papers are deposited in the archives of this Legation under the official seal thereof.

(Signed) WM. STAFFORD JERNINGHAM.

British Legation,
Rio de Janeiro, September 12, 1853.

Inclosure 4 in No. 114.

Senhor Ramos to Senhor Jacintho.

1a. via por Dois Irmãos.

(10.)

Snr. D. Jacintho. *Rio de Janeiro*, 14 *de Setembro de* 1850.

OFFERECO lhe copia da que lhe dirigi plo. vapor "Golphinho."

De novamente lhe digo que não venda o navio, pr. que isso de nada serve. Neste brigue escuna "*Dois Irmãos*" lhe remeto tudo quanto precisa, guardandome pl. lhe dar ms. ordens pelo vapor que deaqui fica a sahir no dia 18, no qual pretendo que o Reis vá para o ajudar no que puder, pr. que leva huma carta de recommendação que mto. lhe deve servir, e mmo. pra. trazer as contas do Costeio do Navio. No entanto V. Mce. dará toda a pressa possivel, pr. que não he só dos I . . . . . que devemos recear, ha ainda mais do Governo. Remeto as Listas do Rancho e mais mindezas, hindo alguma cousa fora do Manifesto, como seja as cinco Vellas, sete Peças de Soua Americana, huma peça de Cabo de Linho, huma caixa com Phosphoros, hum amarro. com arcos, huma Barrca. com Morrão, hum caixo. com Polvora, e os Vidros pa. a Bitacula, y vão em mão do Piloto. Advirto lhe que no conhecimento vão dois Caixes. com Ferragens com a XX mca. R., que são armas e Espadas, com os quaes deve ter cuidado.

Com o Piloto vae o Sr. Guimes. pa. 3° e bem assim o Sangrador e o Carpinteiro. Dei aqui 60$000 pa. compras de cousas para o guardião, que ahi V. Mce. lhe deve abater em sua soldada. Vão pagas as passagems de tres pessoas de ré, pr. isso que só tem de pagar as de proa, que não sei quantas são.

Sem tempo pr. mais,
De V. Mce.

Em 18 *de Setembro.*

Sendo possivel tirar o navio do lugar em que está, V. Mce. seguira á Africa em direitura ao ponto das Palmeirinhas ou Ponta Brava, que alli deve encontrar hum Escaler pa. receber a correspondencia do navio que vai dirigida ao Sr. Garrido, que he quem tem de despachar o navio (talvez mto. ao sul desse lugar); se porem por algua casualidade não encontrar o Escaler, V. Mce. deitará o pequeno Bote em terra com seu Piloto na Ponta Brava, porem pa. o outro lado (o que dois homens podem fazer pr. ser mto. estreito) e mande a correspondencia a Cabo Lombo, á Fazenda do Sr. Je. Maria Mattozo que alli a tomarão pa. a dirigirem a Augusto Garrido em Angola. Passados dias V. Mce. hirá recalar hum lugar (que V. Mce. deve designar assim como o dia) pa. receber as ordens pa. pegar no seu carregamto. O signal com que o navio deve recalar será azul no tope de prõa, carregando os puntos do sobre de prõa, assim como o Escaler tirá ó mmo. signal azul.

Ha tempos que eu fiz pa. Africa hum aviso pa. a recalada do navio no "Cuanxa" de 24 de Outubro em diante, cujo escaler posto neste lugar seria tambem pa. lhe dar ordens, as qs. deverião ser alli mandadas pr. ordem do Sr. Lima Vianna pa. quem tambem mando cartas; todavia esta segunda he em ultimo caso, pr. que convem mais ser despachado plo. primeiro que plo. segundo, mto. principalmte. se o primo. o despachar ao sul; ps. o segundo talvez o queira mandar hir ão norte pegar em carga do Ambriz, o que certamte. será mto. mais arriscado; comtudo V. Mce. se haverá de maneira que a encontrar o escaler do Lima Vianna deve receber as ordens e entregar a correspondencia que vai pa. elle, afim de ficar V. Mce. tambem seguro pr. esse lado, caso lhe possa falhar o Embarque feito ao sul por Garrido. Isto porem deixo ao seu bom pensar, pa. deliberar como lhe convier. Pa. prevenir facturos, tenho pedido huma carta pa. Benguella, mas V. Mce. só fará uso della se vir que não pode carregar no 1° lugar.

RAMOS.

Ponto pa. a Recalada.

Se por feliz, virá a Ilha da Marambaia, que fica como qm. quer hir pa. o Sahy ou Mangaratiba, dobrando o Ponto da Ilha pelo sul á Direita o mais que puder, pa. não ser visto de fora; qdo. porem ache alguma difficuldade, tomará os Dois Rios, e deitará o carregamto. no ponto do Snr. Commendor. Guimes. O primeiro ponto de Marambaia he do Snr. Commendor. Joaqm. Breves, e eu ali terei huma pessoa á sua espera. V. Mce. usará do mmo. Signal azul, e o mmo. movimento com o sobre qdo. recalar o ponto do desembarque pa. a pessoa que o esperar o conhecer de longe a dar lhe a protecção que puder. Se porem achar algum obstaculo nestes pontos, então irá aonde puder menos a Santos ou suas immediações em o ponto de André Glz. da Graça nos Manguinhos, que tambem não serve. Adverto lhe que seja qual for o ponto em que V. Mce. deite o carregamto. deve fazer se ao mar com o navio a recalar no Rio de S. Francisco, mas não entrar; isto he no fino de 30 dias, pa. eu ter tempo de lhe mandar as cousas que V. Mce. pedir pa. o navio seguir outra viagem, assim como o dinheiro pa. pagar as soldadas, que tambem mandarei, e a gente que V. Mce. me pedir, caso alguns não queirão ir V. Mce. dirá o que precisa nessa occasião.

R.

(Translation.)

First by the Dois Irmãos.

Snr Don Jacintho. *Rio de Janeiro, September* 14, 1850.

I SEND you a copy of the letter I sent you by the steamer "Golphinho."

Again I tell you not to sell the ship, because that is of no use. In this schooner-brig "*Dois Irmãos*" I forward to you everything necessary, reserving to myself to give you further orders by the steamer which is to leave on the 18th, in which I intend Reis to go and help all he can, for which he carries a letter of recommendation, which will be of great use to him; and also to keep

the account of the ship's expenses. In the meantime you must make all possible haste, because it is not only from the [English] we have to fear, but still more from the Government. I forward the lists of the quarters (?) and other trifles, some things which are not in the manifest, such as the five wax candles (?), seven pieces of American silk (?), a piece of linen cloth (?), a box of lucifer matches, a (?) with bows, a barrel of match (for guns), a barrel of powder, and the binnacle glasses, which are in the care of the mate. I inform you that there are in the bill of lading two boxes of iron work, with the

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mark R; they are arms and swords, and must be taken care of.

Sr. Guimes goes with the mate, and also the bleeder, and the carpenter. I have given him 60$000, for the purchase of things for the boatswain, which you will deduct from his pay. The passage of three cabin passengers paid, and only that of the fore-part steerage passengers has to be paid; I do not know how many. No time for more.

Yours, &c.

September 18.

If possible to take the ship from the place where she is, you will go on to Africa, directly to the Palmerinhas, or Ponta Brava, where you may expect to find a barge to receive the correspondence of the ship, addressed to Sr. Garrido who is the person to settle the business of the ship (perhaps a good deal to the south of this place); but if by any chance you do not meet with the barge, you will leave the small boat on land with your mate at Ponta Brava, but on the other side (which two men can manage, for it is very narrow), and forward the correspondence to Cabo Lombo, to the estate of Sr. Je. Maria Mattozo, who will take it there, to send on to Augustus Garrido in Angola. After some days you will go to a place, which you must determine, as well as the day, to receive orders for taking in the cargo. The signal for the ship coming near shall be blue on the fore-top, with the points over the bows; and the barge will carry the same blue signal.

Some time ago I sent advices to Africa, that the ship would be off "Cuanxa" by the 24th of next October; and a barge would be placed there also to give you orders, which would be sent by direction of Sr. Lima Vianna, for whom I also send letters. But this second is for an extreme case, because it is better to be done by the first than the second, and especially if the first does the business at the south; for the second would, perhaps, wish to send to the north to take a cargo at Ambriz, which will certainly be much more hazardous. However, you will act so that on meeting with the barge of Lima Vianna, you should receive the orders and deliver the correspondence which is to go by it, in order that you may be safe on this side, in case the embarkation made in the south by Garrido should fail you. This, however, I leave to your own judgment to do as you think best. To provide for everything, I have asked for a letter for Benguella, but you will not make use of it unless you see that you cannot load in the first-named place.

(Signed) RAMOS.

Point for approaching Land.

If, luckily, you get to the Island of Marambaia, do as though you were going to Sahy or Mangaratiba, doubling the point of the island on the south, keeping to the right as far as you can, so as not to be seen from without; but if you find any difficulty, take the Dois Rios, and leave the cargo at the place of Commendador Guimes. The first point of Marambaia is that of Commendador Joaqm. Breves, and I will have there a person waiting for you. You will use the same blue signal, and the same movement as above, when you approach the landing-place, for the person expecting you to know you at a distance, and give you all the protection he can. But if you find any hindrance in those places

you will then go where you can, except to Santos or its neighbourhood, in the plan of André Glz. da Graça, in the Manguinhos, which will also not do. I have to inform you that in whatever place you leave the cargo, you must put to sea with the ship so as to reach Rio de S. Francisco, but not to go in. This is at the end of 30 days, that I may have time to send you the things that you want for the ship's making another voyage; as also money to pay the wages, which I will also send, and the people you ask me for; and in case nobody will go, you will then tell me what is requisite.

R.

I hereby certify that the foregoing is a true and faithful copy of a letter found amongst the papers in the possession of the slaving captain of the Sardinian schooner "*Valoroso*," captured by Her Majesty's ship "Sharpshooter," in June 1851, and which papers are deposited in the archives of this Legation, under the official seal thereof.

(Signed) WM. STAFFORD JERNINGHAM.

British Legation,
Rio de Janeiro, September 12, 1853.

No. 115.

Mr. Jerningham to the Earl of Clarendon.—(*Received October* 15.)

My Lord, *Rio de Janeiro, September* 13, 1853.

I HAVE the honour to inclose to your Lordship a copy of a communication received the other day from Her Majesty's Chargé d'Affaires at Monte Video, informing me of the steps which he has taken, in conjunction with M. Paranhos, the Brazilian Minister there, to find out and defeat the operations of the slave-dealers in the River Plate.

Mr. Hunt mentions two vessels against which suspicions are entertained, the "*Enrico*" and the "*Colonia*," and he appears to have taken measures respecting them.

An old slaver with a new name, the "*Eduardo*," formerly the "*Valoroso*," under the Sardinian flag, Captain Salla, is at present in Rio. As she is said to belong to her former owner, Thomas da Costa Ramos (Maneta), the attention of Her Majesty's cruizers has been drawn to her movements.

I have received information of the probability of a vessel called the "*Maria Isabel*," belonging to Joaquim Breves, arriving during this month at Marambaia with a cargo of slaves.

An English and a Brazilian cruizer have been despatched to intercept this slaver if she comes.

I have not heard of any landing of any sort in the shape of Africans.

I have, &c.

(Signed) WM. STAFFORD JERNINGHAM.

P.S. I have the honour to inclose a copy of a note, in which I communicate to Senhor de Abreu the above despatch from Mr. Hunt.

W. S. J.

Inclosure 1 in No. 115.

Consul Hunt to Mr. Jerningham.

Sir, *Monte Video, September* 3, 1853.

I HAVE the honour to acknowledge the receipt of your despatch of the 11th ultimo, relative to two vessels which it was believed were fitting out at Monte Video, for the purpose of being employed in the Slave Trade.

For some months past there have been strong grounds for supposing that the slave-dealers have fixed upon the River Plate as a favourable point whence to carry on their operations, and I have endeavoured, by every means in my power, to make myself acquainted with their movements, in conjunction with M. Paranhos, the Brazilian Minister here, who has, upon all occasions, shown the utmost desire to co-operate with me in this matter, and from whom I have received information concerning suspected slave ships.

There are two vessels against which suspicions have been entertained of being in the course of preparation for the Traffic in Slaves.

The first is the "*Enrico*," formerly called "*General Garzon*," of about 118 tons burthen; the name of the captain is Antonio dos Santos, and she is consigned to Francisco Gusini at this port; she is now in Entre Rios, ostensibly engaged in taking on board a cargo of jerked beef.

She belongs to the same individuals as the "*Colonizador*," that was wrecked at Buenos Ayres, in the month of December last; the partner or Agent in Rio de Janeiro is Pinto Coimbra. She is now under the Brazilian flag, but she formerly sailed under Oriental colours.

The second is the "*Colonia*," a barque formerly under the flag of the United States, but at present under the Oriental flag; the name of the captain is Manoel Nunes Barboza. The clearance of this vessel was demanded on the 2nd instant, for Pernambuco and the southern parts of Brazil, with a cargo of forty-two mules and two horses. On learning that suspicions were entertained that she was not to be occupied on a lawful voyage, I sought an interview with the Minister for Foreign Affairs, who, at my request, issued an order to the captain of the port to make, in person, an immediate search.

I have not yet received the official communication of Senhor Berro as to the result, but I have learned from the captain of the port that although the most careful search was made on board the "*Colonia*," nothing whatever was found tending to throw a doubt upon the legality of the voyage which she was about to commence.

The "*Pepa*," referred to in Mr. Callander's last despatch of the 2nd August, touched here on her way to Buenos Ayres, where she still is. I expect some information relative to her from Her Majesty's Vice-Consul at that port, which I will transmit to you should it be likely to prove useful.

The Brazilian Senior Naval Officer will, I am assured by M. Paranhos, receive instructions to watch the movements of the "*Pepa*" and the "*Enrico*."

It was stated that the port of Maldonado in this State had, for some time past, been the resort of slave-dealers, and was the point at which the fictitious cargoes of mules, &c., of the slave-vessels were disembarked, and the necessary appliances for a slaving voyage shipped. It was also asserted that cargoes of Africans had been disembarked there for introduction into Brazil.

On the 27th ultimo Her Majesty's steam-vessel "Locust," Lieutenant Day commanding, proceeded to Maldonado with the object of making inquiries into the truth of these reports. The "Locust" returned here on the 1st instant, but the Commander learned that no sea-going vessel had visited Maldonado for the last four months, nor did he become acquainted with anything which was likely to confirm the statements that had been made with respect to the place.

He also visited a point upon the coast further to the northward, known as Catillos, which it had also been asserted was a rendezvous for slave-vessels, but with a like result.

I shall not omit to furnish you from time to time with any information which may appear to me to be in the least useful in furthering the great object which Her Majesty's Government has in view.

I have, &c.

(Signed) LENNON HUNT.

Inclosure 2 in No. 115.

Mr. Jerningham to Senhor Limpo de Abreo.

Sir, *Rio de Janeiro, September* 13, 1853.

I HAVE the honour to inclose to your Excellency a copy of a despatch which I have received from Her Majesty's Chargé d'Affaires and Consul-General at Monte Video, Mr. Hunt, reporting the steps he had taken to discover the projects of certain slave-dealers who were said to have selected the River Plate as the basis of their nefarious operations for fitting out vessels for the Traffic.

It is very satisfactory to have to acquaint your Excellency that the Brazilian Minister, his Excellency Senhor Paranhos, has upon all occasions evinced the utmost desire to cooperate with the British Chargé d'Affaires.

There are, as your Excellency will perceive, two vessels against which suspicions have been entertained; the first is the "*Enrico*," formerly the "*General Garzon*," Captain Antonio dos Santos, which is at present under the Brazilian flag; and the second, the "*Colonia*," Captain Nunes Barboza, formerly under the United States' flag, now under the Oriental one.

In making this communication to your Excellency I am induced to express the earnest hope that the instructions which the Brazilian authorities accredited in the River Plate received from the late Government of His Imperial Majesty to act in concert with those of Her Britannic Majesty relative to discovering and thwarting the operations of the slave-dealers there, will be continued by the Ministry now in power.

I avail, &c.

(Signed) WM. STAFFORD JERNINGHAM.

No. 116.

Mr. Jerningham to the Earl of Clarendon.—(Received October 15.)

My Lord, *Rio de Janeiro, September* 13, 1853.

WITH reference to your Lordship's despatch of the 6th of August, in which you instruct me to send in a strong note to the Brazilian Government respecting the arbitrary act of the Chief of Police at Bahia, exercised on the Dutch vessel "Gouverneur van der Eb," which was detained for some days when ready to sail for the coast of Africa, for the purpose of obliging the master to convey thither some free negroes whom the authorities of Bahia wished to transport to their native country against their will, as well as relative to the threat that a similar attempt would be made upon the vessels of other nations; I have the honour to state that I have sent in a note upon the subject, a copy of which I herewith inclose, protesting against this proceeding, and warning the Brazilian Government of the consequences, should such a measure be enforced against a British vessel.

I have, &c.

(Signed) WM. STAFFORD JERNINGHAM.

Inclosure in No. 116.

Mr. Jerningham to Senhor Limpo de Abreo.

Sir, *Rio de Janeiro, September* 9, 1853.

IT has been communicated to me by Her Majesty's Government, that they have been informed by Her Majesty's Consul at Bahia, that the Chief of Police of that city had detained, for some days, a Netherland vessel called the "Gouverneur van der Eb," which was ready to sail for the coast of Africa, and had endeavoured to oblige her master to convey thither some free negroes whom the authorities of Bahia intended to transport to Africa against their will.

I am instructed by Her Majesty's Principal Secretary of State for Foreign

Affairs to protest in strong terms to the Brazilian Government against this outrageous act of the Chief of Police of Bahia, and to state that it appears that the conduct of the President of Bahia in this affair is hardly less to be condemned, because he not only abstained from punishing the Chief of Police for his proceedings against the Netherland vessel, but also declared, as Her Majesty's Consul was informed, that he meant to compel foreign vessels to assist in carrying into effect the provisions of the Brazilian law with regard to the transportation of free negroes.

It is my imperative duty, in consequence of the orders of Her Majesty's Government, to warn that of Brazil of the consequences of any such attempt being made upon a British vessel, and to inform them that Her Majesty's cruizers will receive special instructions to watch the proceedings of the authorities of Bahia in this matter.

I avail, &c.
(Signed) WM. STAFFORD JERNINGHAM.

No. 117.

The Earl of Clarendon to Mr. Jerningham.

Sir, *Foreign Office, October* 21, 1853.

WITH reference to my despatch of the 27th ultimo, inclosing a copy of a despatch from Sir James Turing, Her Majesty's Consul at Rotterdam, containing information as to the renewal of the Slave Trade by Domingo Martinez at Porto Novo, I transmit to you herewith, for your information, a copy of a further despatch* from Sir James Turing, respecting certain vessels which have been sent from Bahia to the Bight of Benin, for slave-trading purposes.

I am, &c.
(Signed) CLARENDON.

No. 118.

The Earl of Clarendon to Mr. Jerningham.

Sir, *Foreign Office, October* 22, 1853.

I TRANSMIT herewith, for your information, a copy of the report and its inclosures, which have been presented to the House of Commons by the Select Committee of that House, which was appointed to inquire into the Treaties and Engagements between Great Britain, Spain and Portugal, respecting the Slave Trade.

I am, &c.
(Signed) CLARENDON.

No. 119.

The Earl of Clarendon to Mr. Howard.

Sir, *Foreign Office, October* 22, 1853.

I TRANSMIT to you herewith, for your information, a copy of a despatch† and its inclosures, which I have received from Her Majesty's Commissioner at Loanda, reporting the arrival at that port of the Portuguese schooner "*Aguia*," which was captured off Aghwey, on the 4th of June last, by Lieutenant Beresford, of Her Majesty's ship "Spy," on suspicion of being engaged in the Slave Trade.

I am, &c.
(Signed) CLARENDON.

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* No. 275. † See Class A, No. 73.

No. 120.

The Earl of Clarendon to Mr. Jerningham.

Sir, *Foreign Office, November* 4, 1853.

I HAVE received your despatch of the 13th September last, and I have to inform you that I approve the note which you addressed on that day to the Brazilian Minister for Foreign Affairs, communicating a despatch which you had received from Her Majesty's Consul at Monte Video, reporting the measures which he had taken, in conjunction with the Brazilian Minister at that place, to defeat the operations of the slave-dealers in the River Plate.

I am, &c.

(Signed) CLARENDON.

No. 121.

The Earl of Clarendon to Mr. Howard.

Sir, *Foreign Office, November* 5, 1853.

I TRANSMIT to you herewith, a copy of a report* which I have received, through Her Majesty's Minister at Lisbon, from the British Vice-Consul at Terceira, respecting a Portuguese vessel called the "*Laura*," which had arrived at that island from Lisbon, ostensibly with the intention of carrying colonists to Brazil, but suspected to be in reality intended for the Slave Trade.

I am, &c.

(Signed) CLARENDON.

No. 122.

Mr. Jerningham to the Earl of Clarendon.—(*Received November* 16.)

My Lord, *Rio de Janeiro, October* 1, 1853.

WITH reference to your Lordship's despatch of 6th August, instructing me to write a note to the Imperial Government to protest against the proceeding of the Chief of Police of Bahia who had endeavoured to compel the master of the Dutch vessel "Gouverneur van der Eb" to transport free negroes to Africa against their will, and to warn the Brazilian Government against allowing any such liberty to be taken with the master of any British vessel; I beg now to have the honour to forward to your Lordship a copy of a note from the Brazilian Minister for Foreign Affairs in answer to the one which I forthwith addressed to him on the subject, and in which answer your Lordship will see that measures have been taken by the Brazilian Government to obviate any new questions arising from such motives as have given occasion to the above-mentioned complaint.

I have, &c.

(Signed) WM. STAFFORD JERNINGHAM.

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* Inclosure 4 in No. 319.

Inclosure in No. 122.

Senhor Limpo de Abreo to Mr. Jerningham.

(Translation.) *Rio de Janeiro, September* 14, 1853.

I ACKNOWLEDGE the receipt of the note which Mr. William Stafford Jerningham, &c., addressed to me on the 9th instant, representing and, by order of his Government, protesting against the proceeding of the Chief of Police at Bahia, in pretending to ship some suspected Africans for the coast of Africa on board the Dutch merchant-vessel "Gouverneur van der Eb."

In reply, I have to communicate to Mr. Jerningham that, the Chief of Police having founded his act on the provisions of a Provincial Law (Article V of the Law of 13th May, 1835), the Imperial Government, previous to the receipt of the note to which this is an answer, had already addressed the President of the Province of Bahia, stating to him its opinion as to the manner in which the Vth Article of the said Law ought to be carried into execution, and it trusts that no new questions will arise from any such motive.

I avail, &c.

(Signed) ANTONIO PAULINO LIMPO DE ABREO.

No. 123.

Mr. Jerningham to the Earl of Clarendon.—(Received November 16.)

My Lord, *Rio de Janeiro, October* 1, 1853.

I BEG to have the honour to forward to your Lordship translation of a note which I have received from Senhor Limpo de Abreo, the Brazilian Minister for Foreign Affairs, stating that his Excellency had communicated to the Minister of Justice a copy of the letter addressed to me by Mr. Hunt, Her Majesty's Consul at Monte Video, respecting the steps that had been taken to discover the projects of certain slave-dealers who had been reported to have chosen the River Plate for fitting out their slave-vessels, and that he had recommended the Brazilian authorities there to continue to act always in concert with those of Great Britain in exerting due and proper vigilance.

I have, &c.

(Signed) WM. STAFFORD JERNINGHAM.

Inclosure in No. 123.

Senhor Limpo de Abreo to Mr. Jerningham.

(Translation.) *Rio de Janeiro, September* 17, 1853.

I ACKNOWLEDGE the receipt of the note which on the 13th instant was addressed to me by Mr. W. S. Jerningham, &c., and was accompanied by a copy of a letter addressed to him by Mr. Hunt, the Consul of his nation in Monte Video, stating the steps he had taken towards discovering the projects of certain slave-dealers who appear to have chosen the River Plate for fitting out vessels for the Slave Trade.

I have the honour to acquaint Mr. Jerningham that I have transmitted this communication to the Minister of Justice, recommending the Brazilian authorities in the River Plate to continue to proceed always in concert with the British authorities there, with that degree of vigilance which is expedient against such undertakings.

I avail, &c.

(Signed) ANTONIO PAULINO LIMPO DE ABREO.

No. 124.

Mr. Jerningham to the Earl of Clarendon.—(*Received November* 16.)

My Lord, *Rio de Janeiro, October* 1, 1853.

WITH reference to my despatch of the 13th September, in which I reported to your Lordship that the Minister for Foreign Affairs, Senhor Limpo de Abreo, had given me to understand, that perhaps some measures of a more ample nature were to be presented to the Legislature for extinguishing Slave Trade, I now have the honour to forward to your Lordship translation of a project which was introduced by the President of the Council, the Viscount of the Paraná, for the consideration of the Senate, on the 15th September, amplifying the authority of the Auditors of Marine to proceed against and bring to trial (in their respective Courts) all persons in this country, and Brazilians residing out of it, who were concerned in the Slave Trade.

This project was adopted by the Senate, with a slight amendment to the effect that a Brazilian who had been tried in another country for a Slave Trade transaction, and had been acquitted, could not upon his return hither be brought to a fresh trial.

Unfortunately, perhaps owing to the short space of time before the expiration of the session, the project approved of by the Senate was not submitted to the Chamber of Deputies.

However, should any landing of Africans take place before the commencement of the session next year, the Government might possibly stretch a point, and consider themselves sufficiently authorized to put this project into execution.

Hitherto considerable difficulty has existed in prosecuting slave-dealers and those concerned in Slave Trade, when they have not actually been taken in the act; and even then the culpable parties had to be tried by jury in the principal town of the department where the disembarkation had taken place, whilst the juries, often themselves conniving at Slave Trade, and under obligations to slave-dealers and influential slave-owners, felt very great disinclination to convict the accused.

In fact, on the other hand, when persons not taken in the very act of landing slaves, have been proceeded against on the ground of having been privy to such nefarious transactions, they have almost always been acquitted by the juries. Witness the cases of Antonio Pinto da Fonseca at Bahia, who, although he was afterwards ordered out of the country because he is a Portuguese, was previously pronounced innocent by the jury; as likewise were those persons (amongst the rest the Commendador José Breves) who were tried at the Bananal for the well-known Bracuhy affair.

However, by the further powers which are given by the new project to the Auditors of Marine, who are directly under the action of the Government, as they are named by the Executive, the prosecution of delinquents and the accused parties may be commenced directly after the public authorities have received notice of a disembarkation having occurred, whatever may be the distance from the capital of the place where the accused and suspected parties may happen to be.

A Brazilian citizen, wherever he may reside, if he has not already been tried abroad for the same transaction, and the foreign residents in Brazil who may be concerned in a vessel employed in the Slave Trade, although she may only import slaves into foreign countries, will be punished with the penalties of the law for attempting to import slaves, and will be prosecuted and brought to trial.

These additional measures will also have the good effect of enabling the Auditors of Marine to institute proceedings directly against the accused, who oftentimes quickly absent themselves from the department where a landing has been effected, or a vessel fitted out for a slave voyage, and thus elude the reach of justice; and they will also have the salutary effect of frustrating the plans

and undertakings of slave-dealers in Brazil and of Brazilian slave-dealers in other countries, which may have for their object the importation of Africans into Cuba and elsewhere.

I have, &c.
(Signed) WM. STAFFORD JERNINGHAM.

Inclosure in No. 124.

Report of the Session of the Brazilian Senate, September 16, 1853.

(Translation.)

THE President of the Council presented the following project:

Resolved—

ART. I. The Auditors of Marine will be empowered, as soon as this resolution shall have been published, to institute proceedings against and bring to trial the accused parties mentioned in Article III of the Law of the 4th September, 1850, even although the prosecution of the delinquents and of the disembarked Africans should not be realised in the act of disembarkation, and be subsequently carried into execution, as soon as the public authority shall have knowledge of the disembarkation, whatever may be the distance from the capital of the place where they may be.

II. The Brazilian citizen, wherever he may reside, and the foreigner resident in Brazil, who may be captain, owner, master, mate, boatswain, or be concerned in any vessel employed in the Slave Trade, although she may only import slaves into foreign countries, will be punished with the penalties of attempting to import slaves, and will be prosecuted and brought to trial by the said auditors.

Palace of the Senate, September 16, 1853.

(Signed) VISCOUNT OF PARANA.
VISCOUNT OF ABRANTES.
VISCOUNT OF MONTE ALEGRE.
PAULINO JOSE SOARES DE SOUZA.
JOSE CLEMENTE PEREIRA.

No. 125.

Mr. Jerningham to the Earl of Clarendon.—(*Received November* 16.)

(Extract.) *Rio de Janeiro, October* 13, 1853.

WITH reference to your Lordship's despatch of August 30, alluding to Mr. Southern's despatch of February 9, 1852, in which mention was made of arrangements entered into by persons connected with Brazil, for carrying on the Slave Trade to Cuba, and inclosing to me for my information copy of a despatch which your Lordship had received from Mr. Crawford, Her Majesty's Consul-General at Havana, containing intelligence of the persons mentioned in Mr. Southern's despatch, and stating that your Lordship had instructed Mr. Crawford to send to Her Majesty's Legation in Brazil reports as to slave-vessels captured, and respecting any other matters relative to the Slave Trade, of which it might be important that this Legation should have early information; I beg to have the honour to thank your Lordship for having issued these orders, as they will be of great use in assisting the British Legation in Rio Janeiro to watch the movements of the above-mentioned persons connected with the Slave Trade, as well as to make it acquainted with the captures of vessels or the disembarkation of slaves that may occur off Cuba.

I am induced to believe that several vessels that had been reported to have gone to the River Plate to fit out have done so with the intention of proceeding on their arrival off the coast of Africa with slaves to Havana; and I have been

informed by a person who knows enough about these matters, that the Roman brig "*Maria*," to which vessel I drew the attention of Lord John Russell in the month of March last as having been destined for the Slave Trade, and about to proceed from Monte Video to the coast, has since then landed her cargo of Africans in the Island of Cuba.

Mr. Crawford relates in his despatch to your Lordship that Augustin Botelho, who went to the coast of Africa under the arrangements entered into with Rodrigo José Abreo, had died in that country.

In conversation the other day with the Minister for Foreign Affairs, I touched upon the information I had received that cargoes of Bozal negroes belonging to the Brazilian Portuguese Company were expected off the Island of Cuba, when his Excellency replied that the Brazilian Government had likewise received intelligence of a similar kind.

There is reason to believe that this Government intend at present to employ the means they possess in keeping the Slave Trade under, and I am informed that the language which Viscount Paraná, the President of the Council, holds upon the question of the Traffic is very satisfactory.

Last month information was laid against a vessel named the "*Maria Isabel*," expected off the Island of Marambaia. Her Majesty's cruizers were dispatched thither, and a Brazilian steamer likewise. The "*Maria Isabel*" arrived, and was searched by the British and Brazilian commanders, but nothing suspicious was found on board. She belongs to Joaquim Breves, and in her build is a regular slaver. She is at present in the port of Rio de Janeiro, having arrived with a cargo of coffee.

The "*Valoroso*," now the "*Eduardo*," Captain Salla, under Sardinian colours, left Rio de Janeiro on the 9th instant with a cargo of coffee for Falmouth. This is the same vessel that was condemned at Genoa for Slave Trade, and is said still to belong to Thomas da Costa Ramos.

No. 126.

Mr. Jerningham to the Earl of Clarendon.—(*Received November* 15.)

My Lord, *Rio de Janeiro, October* 13, 1853.

I BEG to forward to your Lordship copy of a note which I have addressed to Senhor Limpo de Abreo, in consequence of a representation made by Her Majesty's Consul in Rio de Janeiro respecting the intended sale of three slaves, which belonged, as it appears, to John Craven, a British subject, who died intestate at Marianna in the province of Minas Geraes on the 2nd of last February.

As Mr. Craven died without a will, was a bachelor, and no known heirs being on the spot, the little property he left, the slaves amongst the rest, were taken possession of by the Judge of Orphans of the district.

From the declarations of some of the deceased's friends it appears that Mr. Craven intended to free these slaves, a woman and two children, and a written document is said to exist to that effect. However, as this paper has not been drawn up in a formal manner, the Judge of Orphans refuses to take cognisance of it, and intends to sell the slaves, together with the other property.

In answer to my note on this subject, requesting the Brazilian Government to give directions to the authorities of Marianna to carry out the wishes of the deceased with respect to granting his slaves their liberty, as was intended by Mr. Craven, I received the following reply from his Excellency, which I have the honour to inclose, stating that the Brazilian Government would apply to the President of Minas Geraes for information on this matter.

In the month of March last, Senhor Paulino communicated to me in a note, copy of which with annexed document is herewith inclosed, the news of Mr. Craven's decease, announcing at the same time that the Judge of Orphans had taken possession of his property.

It seems from the inclosed letter of the Judge of Orphans to the President of the province that the deceased was supposed to be a native of Wakefield in

Yorkshire; that he came to Brazil in 1831; was a bachelor, and was living under the feigned name of Craven.

I think it would be of great use if an inquiry was instituted respecting the heirs of this man, for the exceptionable Brazilian regulations of causing intestate property of British subjects dying in Brazil, to be taken charge of by the Judge of Orphans without Her Majesty's Consul having any right to interfere, is open to vast and serious abuses.

Cases have happened, and continue to happen, where great inconvenience, and sometimes decided losses, are sustained by the legal heirs to the property of British subjects dying in this country, besides the innumerable vexations which Judges of Orphans and Curators cause them to undergo.

To prove to your Lordship that being named curator to the property of a British merchant who may die in Brazil is considered lucrative, I know of a case in which a man offered the Brazilian Government eight contos of reis (upwards of 800*l.*) to be named as such.

This happened some few years back.

I have, &c.

(Signed) WM. STAFFORD JERNINGHAM.

Inclosure 1 in No. 126.

Mr. Jerningham to Senhor Limpo de Abreo.

Sir, *Rio de Janeiro, October* 8, 1853.

ON the 10th of last month his Excellency Senhor Paulino José Soares de Souza, then Minister for Foreign Affairs, communicated to me in a note that John Craven, a British subject, had died at Marianna, in the province of Minas Geraes, on the 20th of February last, intestate and without heirs upon the spot, and that consequently the property left by the deceased had been taken possession of by the Judge of Orphans.

Information of the above-mentioned fact has likewise been communicated to Her Majesty's Consul in Rio de Janeiro, and Mr. Westwood has represented to me that among the property left by the deceased there are three slaves (a woman and two children).

It appears from the declarations of some of the deceased's friends that it was the intention of Mr. Craven to grant these individuals their freedom, and that he even left a written document for that purpose; but as this document has not been drawn out in a formal manner the Judge of Orphans refuses to pay any attention to it, and intends selling the slaves.

As Her Majesty's Consul is not permitted, owing to the question of intestate property of foreigners being as yet unsettled, to name administrators, or to interfere in the matter, I feel it incumbent upon me to call the attention of the Imperial Government to this subject, and to request them to give effectual directions to the authorities of Marianna to carry out the wishes of the deceased John Craven, respecting the freedom of these three persons, forming part of his property, on its being demonstrated by creditable testimony, or any written document of the deceased (however informal, so long as it is genuine), that such was his real desire and intention.

I avail, &c.

(Signed) WM. STAFFORD JERNINGHAM.

Inclosure 2 in No. 126.

Senhor Limpo de Abreo to Mr. Jerningham.

(Translation.) *Rio de Janeiro, October* 10, 1853.

I ACKNOWLEDGE the receipt of the note which Mr. William Stafford Jerningham, &c., addressed to me on the 8th instant, relative to three slaves belonging to the inheritance of the British subject John Craven, who died in the province of Minas, intestate, in February of this year; and I hasten to state to Mr. Jerningham, that information on this subject is this day demanded of the President of the said province.

I avail, &c.

(Signed) ANTONIO PAULINO LIMPO DE ABREO.

Inclosure 3 in No. 126.

Senhor Paulino de Souza to Mr. Jerningham.

(Translation.) *Rio de Janeiro, March* 10, 1853.

THE President of the province of Minas Geraes having communicated to me, in a despatch dated the 3rd instant, the death of the English subject John Craven, on the 20th of February last, in the city of Marianna, as is seen from the inclosed certificate of his decease; and the few effects left by the said John Craven, who died without making his will, and without the presence of any heirs, having been taken charge of by the Municipal Judge and of Orphans of the respective district, as appears by the report addressed by him to the said President, a copy of which is inclosed; I have the honour to inform Mr. William Stafford Jerningham of the same.

I avail, &c.

(Signed) PAULINO JOSE SOARES DE SOUZA.

Inclosure 4 in No. 126.

Certificate.

(Translation.)

JOSE BONIFACIO DE SOUZA BARRADAS, secular Presbyter of the Habit of St. Peter, and curate of Marianna, do certify, that on referring to the register of deaths, the following entry is found at page 42:—"On the 20th of February, 1853, died, of an internal attack, John Craven, a native of England, bachelor, of the age of fifty-two years; he was baptized *in periculo mortis*, prayers were read for him, and he was buried in the chapel of our Lady of Gloria, in this city of Marianna. His death was duly reported by Thomas Laudim; and in order that the event may be made known, I register the same."

The Curate,

(Signed) JOSE BONIFACIO DE SOUZA BARRADAS.

This is all that the said entry contains, which I have faithfully copied; and having been applied to for this certificate, I pass it *in fide parochi*.

Marianna, the 2nd March, 1853.

(Signed) JOSE BONIFACIO DE SOUZA BARRADAS.

Inclosure 5 in No. 126.

The Municipal Judge to the President of the Province of Minas.

(Translation.)

Most Illustrious and Excellent Sir,

I HAVE to acquaint your Excellency, that on the 20th of last month, and in the village of Passagem, in the district of this city, died John Craven, who, according to the information I have received, was a native of Wakefield, in the county of Yorkshire, and kingdom of England. He came to Brazil in 1831, worked as blacksmith in the same village, and was ignorant of who were his parents, as he always used to tell a countryman of his, who furnished me with this information, and who added, that the deceased told him sometimes that his true name was not John Craven, but another which he concealed; and that, confiding in his friendship, he would some day or other relate to him the story of his life, and what had obliged him to a supposed name, but that he never did so. This Englishman to whom I refer, says that he thinks the deceased was really born in the place above-mentioned, because his pronunciation and some imperfections in his language were exactly those of that county. According to a passport of 1837, which I transmit inclosed, it appears that he was born in 1801, and he died at about the age of fifty-two years, as is stated in the certificate of his death, which I also transmit. He left a few effects, which have been taken charge of, until further orders, as he left no will, no heirs were present, and he was a bachelor. This is all the information I am enabled to furnish your Excellency, whose orders I await.

God preserve, &c.

Marianna, March 2, 1853.

(Signed) FRANCISCO GALDINO DA COSTA CABRAL,
Municipal Judge and of Orphans of Marianna.

No. 127.

Mr. Jerningham to the Earl of Clarendon.—(Received November 16.)

My Lord, *Rio de Janeiro, October* 14, 1853.

WITH reference to your Lordship's despatch of August 30, informing me that your Lordship had requested the Lords of the Admiralty to send instructions to the Commanders-in-Chief of Her Majesty's ships on the west and east coasts of Africa, directing that whenever any slave-vessels may be captured off those coasts, information may be sent by the earliest direct opportunity to Her Majesty's Legation at Rio, and inclosing in the meantime a list of all the captures of slave-vessels on the coast of Africa that have been communicated by the Admiralty during the last three months; I beg to offer to your Lordship my best thanks for having caused these instructions to be issued, as they will be of great utility to Her Majesty's Legation at Rio de Janeiro, in the business of watching Slave Trade.

It would be desirable that in the lists of captures forwarded to Rio, mention be made of the colours of the nation under which the slaver might be sailing when taken, and likewise, if possible, the names of the owners.

I have, &c.

(Signed) WM. STAFFORD JERNINGHAM.

No. 128.

The Earl of Clarendon to Mr. Howard.

Sir, *Foreign Office, November* 25, 1853.

I HAVE received Mr. Jerningham's despatch of the 1st ultimo, inclosing the project of Law which has been presented by the President of the Council to the Brazilian Senate, and by which it is intended that additional powers should be given to the Judges of the Marine Tribunal (Auditores da Marinha), for the purpose of trying persons suspected of being engaged in the Slave Trade.

I have to instruct you to express to the Brazilian Minister for Foreign Affairs the satisfaction of Her Majesty's Government at this fresh proof of the desire of the Brazilian Government to suppress the Slave Trade.

I am, &c.
(Signed) CLARENDON.

No. 129.

The Earl of Clarendon to Mr. Howard.

Sir, *Foreign Office, December* 8, 1853.

WITH reference to Mr. Jerningham's despatch of the 13th of October, I have to acquaint you that I approve the note which he addressed to M. de Abreo on the 8th of October, urging the liberation of the woman and two children belonging to the late John Craven; and I have to instruct you to renew your representations to the Brazilian Government to the same effect.

I am, &c.
(Signed) CLARENDON.

No. 130.

Mr. Howard to the Earl of Clarendon.—(Received December 17.)

(Extract.) *Rio de Janeiro, November* 14, 1853.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 7th ultimo, detailing your Lordship's recent conversation with M. de Macedo, in which you stated to him your inability to accept his project of Treaty for the suppression of the Slave Trade, or to consent to any modification of that which your Lordship had subsequently proposed to him.

No. 131.

Mr. Howard to the Earl of Clarendon.—(Received December 17.)

My Lord, *Rio de Janeiro, November* 14, 1853.

DURING the brief visits of ceremony which I paid to M. Limpo de Abreo, the Brazilian Minister for Foreign Affairs, and to Viscount de Paraná, I expressed to them in a few words my satisfaction at having entered upon my mission at a period when the question of the Slave Trade no longer divided our two Governments, but when, on the contrary, they were both following the same course; and I offered them my cordial cooperation towards the suppression of that abominable traffic.

M. de Abreo did not enter upon the subject, but Viscount de Paraná, afte referring to the efforts which the Brazilian Government were making, and the expenses which they were incurring in order to put an end to the Trade, stated that those efforts were much impeded by its continuance at the Havana; but that he felt convinced, if the Cuban Traffic could be extinguished, and the barracoons on the coast of Africa were once destroyed, the Trade would cease altogether, and he should not apprehend its revival in Brazil.

I urged upon his Excellency, the necessity of continued and even increased vigilance on the part of the Brazilian authorities in the present conjuncture; and I must do him the justice to say, that he evinced an anxious wish for the attainment of the results desired by Her Majesty's Government.

I have, &c.
(Signed) HENRY F. HOWARD.

No. 132.

The Earl of Clarendon to Mr. Howard.

Sir, *Foreign Office, December* 27, 1853.

WITH reference to your despatch of the 14th ultimo, reporting your conversation with the Brazilian President of the Council respecting the suppression of the Slave Trade, I have to acquaint you that Her Majesty's Government approve of your having urged his Excellency to continue to use every exertion for the attainment of that important object.

I am, &c.
(Signed) CLARENDON.

No. 133.

Mr. Howard to the Earl of Clarendon.—(Received January 15, 1854.)

My Lord, *Rio de Janeiro, November* 19, 1853.

LIEUTENANT BARROW, the Admiralty Agent on board the contract steamer "Great Western," having placed in my hands a report furnished to him by Her Majesty's Consul at Madeira, relative to a Portuguese vessel the "*Laura*," suspected of being engaged in the Slave Trade, and stated to belong to a member of an extensive slave-trading association, of which a branch is said to be established in this capital, I communicated it to M. Limpo d'Abreo, the Brazilian Minister for Foreign Affairs, in the note of which I have the honour to inclose a copy; and I have since received from his Excellency the reply, of which I likewise annex a translation, stating that he had transmitted my note to the Minister of Justice, with a view to measures being taken to prevent any illegal attempts on the part of the vessel in question in Brazilian ports.

I have, &c.
(Signed) HENRY F. HOWARD.

Inclosure 1 in No. 133.

Mr. Howard to Senhor Limpo de Abreo.

Sir, *Rio de Janeiro, November* 10, 1853.

I DO myself the honour of inclosing herewith to your Excellency the copy of a report from the British Vice-Consul at Terceira, and from Her Majesty's Consul at Madeira, relative to the movements of a Portuguese vessel called the "*Laura*" (formerly called the "*Rosa*"), against which there are strong suspicions of her being engaged in the Slave Trade.

As these suspicions seem to be confirmed by the circumstance that the "*Laura*" is stated to belong to Antonio Severino de Avellar, the agent at Terceira of the extensive slave-trading association of which the house of Joaquim de Fonseca Guimaraes and Co., of this capital, are members, and as Rio de Janeiro was said to have been the original destination of the vessel, I have thought it my duty to bring the information I have received concerning her to your Excellency's knowledge, in order that you may be enabled to give such directions as you may think most advisable for watching and controlling her proceedings, should she be destined for a Brazilian port, and those of any persons in this country who may be interested in her supposed undertakings.

I avail, &c.

(Signed) HENRY F. HOWARD.

Inclosure 2 in No. 133.

Report of a Vessel arrived at the Island of Terceira, supposed to be engaged in the Slave Trade.

ON the 8th day of September, 1853, arrived at the Bay of Angra, Island of Terceira, from Lisbon, a Portuguese vessel called the "*Laura*" (formerly "*Rosa*") commanded by a Portuguese subject named Sylverio Severino de Avellar.

The vessel is stated to belong to Antonio Severino de Avellar, at present resident here; is of about 154 Portuguese tons measurement, and has on board a crew of nineteen men, composed of Portuguese subjects.

No guns are visible, and it is said she is bound from this to Rio de Janeiro, viâ Madeira.

The consignee at this place is named João Severino de Avellar, a relative of the owner; a Spaniard named Rubenciano José Caza Nova, is said to be the "caixa" or purser, and I hear that they style him "capitão de bandeira," which leads to conjecture that the Spanish flag may be used if convenience suits.

Her ostensible object here was reported at first to convey colonists to Rio de Janeiro, but which idea was abandoned through the restrictions of the Portuguese Government on that head, and the bad sanitary state of Brazil, as stated by the owner to the Civil Governor of this district. She has taken on board ninety casks of water, some very large ones, and thirty barrels of "farinha de pão," an article not commonly used by vessels taking passengers from these islands to Brazil: it can be said then, if the fever now prevalent in Brazil is detrimental to the natives of these islands, it may be equally so to those of Madeira, which causes a suspicion to arise that the voyage to Rio viâ Madeira is not the real one in contemplation.

Her hull outside is all black, with no streak; she is rigged as a brig-schooner with a maintop-sail and topgallant-sail; carries a fore-royal mast and maintop-gallant mast; has a gilt ball on each with no vane on either; her masts have a slight rake aft; her bowsprit has very little steave; she has a top-gallant forecastle in which the crew apparently live.

She has a small fiddle head; a very sharp overhanging bow, with a great run aft; a wreath of roses across the stern; edges of stern hawse pipes gilt, the wheel is about six feet abaft the mainmast; four large hen-coops on the quarter-deck; four large eyebolts about three feet below the covering board; three scupper holes of a side.

Rigging most particular; short bowsprit, single forestay, single fore-top-mast stay; double mainstays, both set up on the port side, one with tackles, the other with dead-eyes; main-topmast stay sets up in the fore-topmast crosstrees.

British Vice-Consulate, Terceira, September 15, 1853.

(Signed) JOHN READ.

The "*Laura*" stood into Funchal Bay, Madeira, on the 25th September, communicated with the shore; obtained from the captain of the port a certificate of having called at the island, and from the health department a bill

of health, in which her destination was, at the Master's request, stated to be Fayal, Azores, and then proceeded to sea, without having anchored, in a southerly direction.

(Signed) GEORGE STODDART.

Inclosure 3 in No. 133.

Senhor Limpo de Abreo to Mr. Howard.

(Translation.) *Rio de Janeiro, November* 17, 1853.

I ACKNOWLEDGE the receipt of the note addressed to me on the 10th instant, by Mr. Henry Francis Howard, &c., inclosing a copy of the information given by the British Vice-Consul in the Island of Terceira, and by Her Majesty's Consul in Madeira, relative to the movements of a Portuguese vessel called the "*Laura*" (formerly "*Rosa*"), against which there were strong suspicions of being destined to the Traffic in Slaves.

In reply, I have the honour to state to Mr. Howard, that I hastened to bring that note to the Minister of Justice, in order that his Excellency might take the measures which he should judge fitting for preventing the success of whatever attempt the said vessel may purpose making in the ports of this Empire, and that he might, in like manner, recommend the Presidents of the provinces to take suitable preventive measures.

I avail, &c.

(Signed) ANTONIO PAULINO LIMPO DE ABREO.

No. 134.

Mr. Howard to the Earl of Clarendon.—(*Received January* 15, 1854.)

My Lord, *Rio de Janeiro, December* 3, 1853.

I HAVE the honour of inclosing herewith to your Lordship copies of the correspondence which has been exchanged between the Brazilian Minister for Foreign Affairs and Her Majesty's Legation at this Court, as well as between the latter and Admiral Henderson, on the subject of a complaint preferred by the Brazilian Government against Lieutenant Wake, commanding Her Majesty's brigantine "Bonetta," for having broken open a paper on board the Brazilian vessel "*Lagunense*," sealed with the Imperial arms.

Your Lordship will perceive that Admiral Henderson has given orders to the commanders of Her Majesty's cruizers never in future to open packets similarly sealed, but that he has, at the same time, made some observations to which I have called the attention of the Brazilian Minister, relative to those officers not being responsible for any inconvenient detention to which Brazilian merchant-vessels may be subjected in consequence of the non-production of proper documents from which their character may be judged.

I have, &c.

(Signed) HENRY F. HOWARD.

Inclosure 1 in No. 134.

Senhor Limpo de Abreo to Mr. Jerningham.

(Translation.) *Rio de Janeiro, October* 25, 1853.

THE Undersigned, &c., has just been informed that the Commander of the English brig of war "Bonetta," whilst cruizing on our coast, visited, off Marambaia, the national schooner "*Lagunense*," on her way to this port, and, in the act

of visiting her, opened an official letter sealed with the Imperial arms, and addressed to the Administrator of the Board of the Consulado of this capital.

The facts to which the Undersigned refers are proved by the Commander of the "Bonetta's" own statement, written on the schooner's original manifest, which the Undersigned transmits to Mr. Jerningham, &c.

So that the Undersigned, in communicating these facts to Mr. Jerningham, not only protests against them, as in duty bound, but likewise hopes that Mr. Jerningham will be pleased to take suitable steps towards their not being repeated.

The Undersigned requests Mr. Jerningham to return to him the original manifest which accompanies this note, after having perused it, and avails himself, &c.

(Signed) ANTONIO PAULINO LIMPO DE ABREO.

Inclosure 2 in No. 134.

Mr. Jerningham to Senhor Limpo de Abreo.

Sir, *Rio de Janeiro, October* 28, 1853.

I BEG to have the honour to acknowledge the receipt of your Excellency's note under date of the 25th October, together with its inclosure, in which your Excellency informs me that the Commander of Her Majesty's brig "Bonetta" whilst cruizing off this coast, in the vicinity of the Island of Marambaia, visited the Brazilian yacht "*Lagunense,*" bound for the Port of Rio, and broke open, in the act of visiting her, a paper sealed with the Imperial arms, directed to the Administrator of the Consular Board of this capital, containing the manifest of the said vessel.

I shall lose no time in forwarding a copy of your Excellency's note to Admiral Henderson, and I have no doubt but that the British Admiral will take such measures as not to give, in future, any cause of complaint to the Imperial Government on a similar point.

I avail, &c.

(Signed) WM. STAFFORD JERNINGHAM.

Inclosure 3 in No. 134.

Mr. Jerningham to Rear-Admiral Henderson.

Sir, *Rio de Janeiro, November* 1, 1853.

I BEG to have the honour to forward to you copy of a note which has reached me from the Brazilian Minister for Foreign Affairs, and my answer to his Excellency, respecting a complaint advanced by the Brazilian Government against Commander Wake, of Her Majesty's brig "Bonetta," who, whilst cruizing off the Island of Marambaia, and visiting the Brazilian yacht "*Lagunense,*" broke open a paper sealed with the Imperial arms.

It seems the manifest of this vessel was foolishly inclosed in this paper thus sealed with the armorial bearings of the Crown, and that Commander Wake opened it in order to inspect the vessel's manifest, as there was no other on board.

In my reply to Senhor Limpo de Abreo I have assured him that the British Admiral would, no doubt, take such measures as to prevent any future cause of complaint on a similar point.

I have, &c.

(Signed) WM. STAFFORD JERNINGHAM.

Inclosure 4 in No. 134.

Rear-Admiral Henderson to Mr. Howard.

"*Centaur*," *at Sea, Lat.* 15° 9′ *S., Long.* 37° 56′ *W.*,
Sir, *November* 25, 1853.

WITH reference to Mr. Jerningham's letter to me of the 1st instant, inclosing copy of one from the Brazilian Minister for Foreign Affairs, preferring a complaint against Lieutenant Wake, commanding Her Majesty's brigantine "Bonetta," for having broken open a paper on board the Brazilian vessel "*Lagunense*" sealed with the Imperial arms; I have the honour to acquaint your Excellency that I have given orders to the officers commanding British cruizers employed on the coast of Brazil in the suppression of the Slave Trade, never in future to open any packet sealed with the Imperial arms, or the official seal of a Brazilian authority, which I trust will be a satisfactory proof of my desire to prevent the act of Lieutenant Wake being repeated.

I have, however, to observe that as the character and pursuits of Brazilian merchant-vessels, searched on suspicion of being engaged in Slave Trade, must be judged by the documents which may be open and accessible to the searching officer, the commanders of Her Majesty's cruizers cannot, in the execution of their duty, be held responsible for any inconvenient detention to which any such merchant-vessel may be subjected in consequence of the non-production of documents sealed up (such as the manifest of the cargo), and of which no properly authenticated copies or duplicates may have been left for inspection.

I have, &c.
(Signed) W. W. HENDERSON.

Inclosure 5 in No. 134.

Mr. Howard to Rear-Admiral Henderson.

Sir, *Rio de Janeiro, December* 3, 1853.

I HAVE the honour to acknowledge the receipt of your despatch of the 25th ultimo, stating, with reference to a complaint preferred by the Brazilian Government against Lieutenant Wake, commanding Her Majesty's brigantine "Bonetta," that you have given orders to the officers commanding British cruizers employed on the coast of Brazil in the suppression of the Slave Trade, not in future to open any packet sealed with the Imperial arms, or the official seal of a Brazilian authority.

I have communicated a copy of this despatch to the Brazilian Minister for Foreign Affairs, calling his attention at the same time to the observation which you make in respect to the commanders of Her Majesty's cruizers not being responsible for any inconvenient detention to which Brazilian merchant-vessels may be subjected from the non-production of proper documents from which their character may be judged.

I have, &c.
(Signed) HENRY F. HOWARD.

Inclosure 6 in No. 134.

Mr. Howard to Senhor Limpo de Abreo.

Sir, *Rio de Janeiro, December* 3, 1853.

WITH reference to Mr. Jerningham's note of the 1st ultimo, I have now the honour of transmitting to your Excellency the copy of a despatch which I have received from Admiral Henderson on the subject of the complaint preferred in your note of the 25th October against Lieutenant Wake, commanding Her Majesty's brigantine "Bonetta," for having broken open a paper on board the Brazilian vessel "*Lagunense*," sealed with the Imperial arms.

From this despatch your Excellency will perceive that Admiral Henderson has given orders to the officers commanding British cruizers employed on the coast of Brazil in the suppression of the Slave Trade, never in future to open any packet sealed with the Imperial arms, or the official seal of a Brazilian authority; but that he observes, at the same time—and to this remark I beg to call your Excellency's attention—that, as the character and pursuits of Brazilian merchant-vessels searched on suspicion of being engaged in Slave Trade must be judged of by the documents which may be open and accessible to the searching-officer, the commanders of Her Majesty's cruizers cannot be held responsible for any inconvenient detention to which any such merchant-vessel may be subjected in consequence of the non-production of documents sealed up (such as the manifest of the cargo), and of which no properly authenticated copies or duplicates may have been left open for inspection.

I avail, &c.
(Signed) HENRY F. HOWARD.

No. 135.

Mr. Howard to the Earl of Clarendon.—(*Received January* 15, 1854.)

My Lord, *Rio de Janeiro, December* 3, 1853.

WITH reference to Mr. Jerningham's despatch of the 12th of April last, I have the honour to inclose a translation of the confirmation by the Council of State, with the sanction of the Emperor of Brazil, of the sentence of the Vice-Admiralty Court of Rio de Janeiro, liberating the barque "*Sem Igual*," which had been seized by the Brazilian authorities under suspicion of being engaged in the Slave Trade.

I have, &c.
(Signed) HENRY F. HOWARD.

Inclosure in No. 135.

Confirmation by the Council of State of the Sentence of the Vice-Admiralty Court of Rio de Janeiro, on the Brazilian barque "Sem Igual."

(Translation.)

Sire,

THE Section of Justice of the Council of State having carefully examined the legal proceedings organised in the Vice-Admiralty Court relative to the capture of the barque "*Sem Igual*," as likewise the books and papers which, together with that suit, accompanied the order whereby your Imperial Majesty was pleased to determine that the trial of that prize should be referred to this Second Instance, has not met with any proof either of the indications which, according to the Law of the 4th of September, 1850, denote an attempt at trading in slaves, nor any of the vestiges which it leaves behind.

The information given to the President of Bahia by the British Consul residing in that capital, the statements made to the Consul of that nation at St. Catherine's by the English sailor belonging to the crew of the barque when she went there as a prize, are founded upon mere conjectures and suspicions, which were destroyed, not only by the tenor of the investigations, but likewise by the statements of the said informer, which, although they contain conclusions which he, a foreigner, drew from some words attributed by him to the master of the barque, and from the circumstance of the latter having, as he says, allowed some whales to escape which had approached the vessel, do not constitute any proof that the barque "*Sem Igual*" was engaged in the Slave Trade during her navigation between Bahia and St. Catherine's, and in which she had been visited by a British man-of-war, and found by the same to be destined and employed in fishing.

The Section, therefore, is of opinion that the sentence of the Vice-Admiralty

Court, which adjudicated the barque "*Sem Igual*" to have been unduly captured, should be confirmed. Your Imperial Majesty, however, will resolve what may be most proper.

Chamber of Conferences of the Section of Justice of the Council of State, November 21, 1853.

(Signed) CAETANO MARIA LOPES GAMA.
PAULINO JOSE SOARES DE SOUZA.
VISCONDE DE ABRANTES.

Be it so.

Palace, November 23, 1853.

(Signed by His Majesty the Emperor.)

(Signed) JOSE THOMAS NABUCO DE ARAUJO.

No. 136.

Mr. Howard to the Earl of Clarendon.—(*Received January* 15, 1854.)

My Lord, *Rio de Janeiro, December* 12, 1853.

I HAVE the honour to acknowledge the receipt of your Lordship's despatches to November 25 inclusive.

With reference to your Lordship's despatch of October 21, I have communicated to the Brazilian Minister for Foreign Affairs the information contained in Sir James Turing's despatch of the 11th of October therein inclosed, respecting certain vessels which have been sent from Bahia to the Bight of Benin for slave-trading purposes.

I have, &c.

(Signed) HENRY F. HOWARD.

No. 137.

Mr. Howard to the Earl of Clarendon.—(*Received January* 15, 1854.)

My Lord, *Rio de Janeiro, December* 14, 1853.

WITH reference to my despatch of the 3rd instant and to its inclosures, I have now the honour of transmitting to your Lordship the translation of a note which I received this evening from the Brazilian Minister for Foreign Affairs, Senhor Limpo de Abreo, in reply to my note to his Excellency, covering the copy of a despatch in which Admiral Henderson, whilst stating, with regard to the complaint against Lieutenant Wake, that he has given orders to the commanders of Her Majesty's cruizers on the coast of Brazil not in future to open packets sealed with the Imperial arms, observes that those officers cannot be responsible for any inconvenient detention to which the Brazilian merchant-vessels they may have occasion to search may be subjected in consequence of the non-production of proper documents by which the character of such vessels can be judged.

In this note Senhor de Abreo takes occasion to remonstrate against the continued exercise by Admiral Henderson of the right of visiting and searching Brazilian merchant-vessels, and states that the communications of the Brazilian Minister in London had confirmed the Brazilian Government in the hope that Her Majesty's Government would on their part desist from exercising that right.

I propose to answer Senhor de Abreo's note by informing him that I will transmit a copy of it to your Lordship, but that I am not in possession of any information which could lead me to believe that Her Majesty's Government intended to abstain from exercising that right, or to withdraw the orders under which the commanders of Her Majesty's cruizers were acting with respect to the boarding and searching on the high seas of Brazilian merchant-vessels suspected of being engaged in the Slave Trade; and that I beg to remind his Excellency that, according to the notification of the late Mr. Southern to his predecessor in office, of the 11th of June, 1852, it was only within the territorial limits of the Brazilian Empire that the proceedings of Her Majesty's cruizers were to be suspended.

I further transmit the copy of a despatch addressed to me by Admiral Henderson, as well as of the explanation inclosed in it from Lieutenant Wake, of Her Majesty's brigantine "Bonetta," relative to his opening a sealed packet on the Brazilian vessel "*Lagunense.*"

I have, &c.
(Signed) HENRY F. HOWARD.

Inclosure 1 in No. 137.

Senhor Limpo de Abreo to Mr. Howard.

(Translation.) *Rio de Janeiro, December* 11, 1853.

THE Undersigned, &c., has the honour to acknowledge the receipt of the note which, under date of the 3rd instant, was addressed to him by Mr. Henry F. Howard, &c., transmitting a copy of a despatch which Mr. Howard had received from Admiral Henderson, relative to the complaint contained in the note of the Undersigned dated the 25th October last, of the fact of Lieutenant Wake, commander of Her Britannic Majesty's schooner of war "Bonetta," having broken open, on board the Brazilian patacho "*Lagunense,*" an official letter sealed with the Imperial arms.

From Admiral Henderson's despatch, to which Mr. Howard refers, it results that orders have in fact been given to the officers commanding the British cruizers employed on the coasts of Brazil in the suppression of the Slave Trade not to open in future any package which may be sealed with the Imperial arms, or with the official seal of a Brazilian authority; but at the same time the Admiral observes—and Mr. Howard calls the attention of the Undersigned to this—that as the character and destination of Brazilian merchant-vessels, visited on suspicion of being engaged in the Slave Trade, are to be judged of by documents, which should be open and accessible to the officer who may board and search them, the commanders of Her Britannic Majesty's cruizers cannot be considered responsible for any inconvenient detention to which a merchant-vessel may be subjected in consequence of the non-production of documents which may be sealed up (such as the manifest of the cargo), and of which there may be no copy or authenticated duplicate remaining open for inspection.

The Undersigned, having brought Mr. Howard's note to the knowledge of His Majesty the Emperor, and being authorized to reply to the same, cannot but manifest the surprise occasioned by such a communication to the Imperial Government, in seeing that the Government of Her Britannic Majesty is disposed to continue to exercise the right of boarding and searching Brazilian merchant-vessels.

The Government of His Majesty the Emperor, for the purpose of complying with the obligations which they contracted, have neither spared sacrifices nor expense in order to put an end to the Slave Trade; in maintaining the most active cruizing on the coasts of Brazil; and in watching with indefatigable solicitude over the execution of the instructions which have been given to the territorial authorities to prevent the carrying on of so unworthy a Trade.

Mr. Howard is aware that the efforts of the Imperial Government have been until now crowned with the most happy result; because, since December of last year (1852), there is no account of one single disembarkation having been effected of Africans on the coasts of Brazil. These facts, which are notorious, induced the Imperial Government to think that the Government of Her Britannic Majesty would acknowledge the solicitude which animates the Imperial Government, and the efficacy of the measures they have employed in the repression of the Traffic; and that they would on their part desist from exercising on Brazilian vessels, a right which, according to the Law of Nations, does not belong to them.

The communications made in this respect by the Brazilian Minister accredited to Her Majesty the Queen of Great Britain, concurred towards confirming this hope, which the Imperial Government had and still entertains. It being, however, to be apprehended that Admiral Henderson, according to the statement he makes, intends to exercise the right of visiting and searching Brazilian merchant-vessels, the Undersigned cannot but address himself afresh to Mr.

Howard for the purpose of remonstrating against such acts, and of representing to him how much this proceeding is opposed to the relations of good harmony and friendship which subsist between the two Governments; and the Government of His Majesty the Emperor hope that Mr. Howard will find means for warding off complications which might therefrom arise.

The Undersigned, &c.

(Signed) ANTONIO PAULINO LIMPO DE ABREO.

Inclosure 2 in No. 137.

Rear-Admiral Henderson to Mr. Howard.

Sir, *"Centaur," Rio de Janeiro, December* 2, 1853.

WITH reference to my letter of the 25th ultimo, I have the honour to inclose, for your Excellency's information, a copy of the explanation which I have received from Lieutenant Wake, commanding Her Majesty's brigantine "Bonetta," relative to his having opened a sealed paper on board the Brazilian vessel "*Lagunense*" on the 5th of October.

I have, &c.

(Signed) W. W. HENDERSON.

Inclosure 3 in No. 137.

Lieutenant Wake to Rear-Admiral Henderson.

Sir, *"Bonetta," Rio de Janeiro, December* 2, 1853.

I HAVE the honour to lay before you the reasons which induced me to open the sealed manifest of the Brazilian schooner "*Lagunense*" on the 5th of October last:

1. That I was ordered by you to cruize, upon information received to the effect that the slave equipments of the Brazilian brig "*Maria Isabel*," the vessel I was in search of, were waiting for her off the Isle of Marambaia in a small schooner, whose description corresponded to that of the "*Lagunense*."

2. That the cargo of the "*Lagunense*," as far as I could see without disturbing her hold, was such as comes under the head of slave equipments, consisting of farina, corn, beans, &c.

3. That, as I stated in my indorsement of the manifest, there was no other authenticated document on board to show whether her cargo was lawful or not.

4. That I have always been in the habit of opening the manifests of vessels having such cargoes on board as come under the head of slave equipments, not knowing in what other way to ascertain their legality, and that the said manifests have always, as far as I can remember, been sealed in a similar manner to that of the "*Lagunense*."

I have, &c.

(Signed) CHARLES WAKE.

No. 138.

The Earl of Clarendon to Mr. Howard.

Sir, *Foreign Office, January* 16, 1854.

I HAVE had under my consideration the subject of Mr. Southern's despatch of the 12th of January, 1853, and of Mr. Jerningham's of the 11th of June last, respecting a previous correspondence which had passed between Mr. Hudson and Viscount Palmerston relative to the conveyance of a number of free negroes from Rio de Janeiro to the west coast of Africa, to whom Lord Palmerston wished to afford a free passage to their native country at the expense of Her Majesty's Government.

I have to acquaint you that the Lords of the Admiralty have consulted the

Board of Treasury as to the means of defraying the expenses of this undertaking, and that they have been informed that the Lords of the Treasury are not prepared to sanction the outlay which would be requisite in order to carry it into effect.

Therefore if the free negroes in question should renew the application which they addressed to Consul Westwood last year, you will inform them that in consequence of the serious obstacles which oppose the safe and successful accomplishment of the plan originally contemplated for their conveyance to Africa, Her Majesty's Government have been obliged to abandon that scheme.

I am, &c.
(Signed) CLARENDON.

No. 139.

The Earl of Clarendon to Mr. Howard.

Sir, *Foreign Office, January* 23, 1854.

WITH reference to your despatch of the 19th of November, 1853, I have to acquaint you that I approve of the note which you addressed on the 10th of that month to the Brazilian Minister for Foreign Affairs, communicating to his Excellency the information which had reached you respecting the suspicious movements of the Portuguese brigantine "*Laura*."

I am, &c.
(Signed) CLARENDON.

No. 140.

The Earl of Clarendon to Mr. Howard.

Sir, *Foreign Office, January* 23, 1854.

I HAVE to state that I approve of your proceedings on the subject of the complaint made by the Brazilian Government that Lieutenant Wake, commanding Her Majesty's ship "Bonetta," had broken open a sealed packet which he found on board the Brazilian vessel "*Lagunense*," as reported in your despatch of the 3rd ultimo.

I am, &c.
(Signed) CLARENDON.

No. 141.

The Earl of Clarendon to Mr. Howard.

Sir, *Foreign Office, January* 23, 1854.

I HAVE received your despatch of the 14th ultimo, inclosing a copy of a letter from Senhor de Abreo, the Brazilian Minister for Foreign Affairs, stating that the despatches received by the Brazilian Government from M. de Macedo had led them to hope that Her Majesty's cruizers would cease to visit and search Brazilian merchant-vessels with a view to the prevention of the Slave Trade.

I have to acquaint you in reply, that the communications which passed between M. de Macedo and myself with regard to the proposed Slave Trade Treaty between Great Britain and Brazil related generally to that Treaty, and not to this particular question as to the visiting of Brazilian merchant-vessels.

In explaining this to Senhor de Abreo, you will state to his Excellency that Her Majesty's Government regret that the Brazilian Government did not accept the project of Treaty which was proposed to M. de Macedo, but that Her Majesty's Government cannot doubt that the British cruizers greatly assist the efforts so honourably made by the Brazilian Government for the suppression of the Slave Trade.

I am, &c.
(Signed) CLARENDON.

No. 142.

Mr. Howard to the Earl of Clarendon.—(*Received February* 10.)

My Lord, *Rio de Janeiro, January* 1, 1854.

IN transmitting in my despatch of the 14th of December last to your Lordship, translation of the note addressed to me on the 11th of that month by the Brazilian Minister for Foreign Affairs, Senhor Limpo de Abreo, remonstrating against the continued exercise by Her Majesty's cruizers of the right of searching Brazilian merchant-vessels on the high seas, I stated the nature of the reply I proposed returning to his Excellency.

I have herewith the honour of inclosing a copy of that reply, dated the 16th ultimo, as well as the translation of a further note of the 30th, which I have received from Senhor de Abreo, explaining the grounds, founded upon some observations of your Lordship to the Brazilian Minister in London, which had induced the Brazilian Government to believe that Her Majesty's Government would desist from exercising the right of search over Brazilian merchant-vessels.

His Excellency's note likewise contains a renewed protest on that subject, to which, however, it is not my intention to make any written reply, unless I am directed by your Lordship to do so.

I have, &c.
(Signed) HENRY F. HOWARD.

Inclosure 1 in No. 142.

Mr. Howard to Senhor Limpo de Abreo.

Rio de Janeiro, December 16, 1853.

THE Undersigned, &c., has the honour to acknowledge the receipt, on the 14th of this month, of the note addressed to him under date of the 11th instant by his Excellency Senhor Antonio Paulino Limpo de Abreo, and in which his Excellency takes occasion, with reference to the subject of the note of the Undersigned of the 3rd instant, to remonstrate against the continued exercise by Admiral Henderson of the right of boarding and searching Brazilian merchant-vessels on the high seas under suspicion of being engaged in Slave Trade.

The Undersigned, in reply, does himself the honour of acquainting his Excellency Senhor Limpo de Abreo, that he transmitted, by yesterday's mail, a copy of his Excellency's above-mentioned note to Her Majesty's Principal Secretary of State for Foreign Affairs.

The Undersigned begs, in the meantime to remark, with respect to his Excellency's observation that the communications received by the Imperial Government from the Brazilian Minister in London confirmed them in the hope that Her Majesty's Government would desist from exercising the right of boarding and searching Brazilian vessels, that the Undersigned is not in possession of any information which could lead him to suppose that Her Majesty's Government intend to abstain from the exercise of that right; but that he has received a contrary impression from the account which has been given to him by the Earl of Clarendon of what passed between his Lordship and M. de Macedo on a recent occasion, when his Lordship, whilst acknowledging on the part of Her Majesty's Government the humane and honourable course pursued by the Imperial Government in respect to the suppression of the Slave Trade, expressed his regret at not being able to comply with the renewed request put forward by that Minister for the acceptance by Her Majesty's Government of the Brazilian project of Treaty, and for the repeal of the British Act of Parliament of August 1845.

Moreover, the Undersigned begs to remind his Excellency Senhor Limpo de Abreo that, according to the notification made on the 11th of June, 1852, to his Excellency Senhor Paulino de Souza by Her Majesty's Minister the late Mr. Southern, it was only within the territorial limits of the Brazilian Empire that the proceedings of Her Majesty's cruizers under the Acts of Parliament of

August 1839 and August 1845 were to be suspended, and that the suspension in question had no reference to those proceedings on the high seas.

The Undersigned cannot conclude this note without expressing his regret that the Imperial Government should not appreciate at its just value the cooperation of Her Majesty's cruizers on the coast of Brazil, which has been so useful in aiding the laudable efforts which the Imperial Government are now making towards the suppression of the Slave Trade—efforts which, unless so assisted, would, the Undersigned is convinced, prove insufficient to meet the exigencies of the case, and particularly at a moment when the greatest vigilance is required, and when there is every reason to fear that attempts are likely to be made to revive the Slave Trade in Brazil.

The Undersigned, on his part, cannot see why the continuance of that cooperation should exercise an unfavourable influence on the friendly relations existing between Great Britain and Brazil. He thinks, on the contrary, that the combined action of the British and Brazilian Governments for the attainment of one noble and common object—the suppression of so abominable and nefarious a Traffic as the Slave Trade—ought rather to conduce to the further improvement of those relations.

The Undersigned, &c. (Signed) HENRY F. HOWARD.

Inclosure 2 in No. 142.

Senhor Limpo de Abreo to Mr. Howard.

(Translation.) *Rio de Janeiro, December* 30, 1853.

THE Undersigned, &c., has the honour to acknowledge the receipt of the note which was addressed to him on the 16th instant by Mr. Henry F. Howard, &c., in answer to that of the Undersigned of the 14th of said month.

Mr. Howard informs him that he had transmitted, by the last packet, to his Government a copy of the note of the Undersigned, observing, however, with reference to the communications which therein are said to have been received from the Brazilian Minister in London, confirming the hope which the Imperial Government had, and still entertains, that the Government of Her Britannic Majesty would desist from exercising the right of visiting Brazilian merchant-vessels, that he is not in possession of any information from which he can infer that the Government of Her Britannic Majesty will renounce the exercise of that right; and rather, according to the notification given on the 11th of June of last year to the predecessor of the Undersigned, that it is seen that the Acts of Parliament of 1839 and 1845 were suspended in the territorial waters of the Empire, and not upon the high seas; and in referring also to the conference of which he had knowledge, which latterly took place between Lord Clarendon and that Minister, Mr. Howard says that it appears from the same that whilst the British Government acknowledged the honourable and sincere conduct of the Imperial Government with regard to the repression of the Slave Trade, Lord Clarendon had expressed his regret at not finding himself authorised to comply with the request of the said Minister, that he would accept of the project of a Treaty which, on the part of Brazil, had been brought to the consideration of the British Government, regulating the right of search, and for the revocation of the Act of Parliament of August 1845.

Mr. Howard finally regrets that the Imperial Government does not duly appreciate the cooperation of Her Britannic Majesty's cruizers on the coast of Brazil, which has been so useful in assisting the laudable efforts which the Imperial Government is now making towards rendering that repression effective, efforts which to Mr. Howard appear to be insufficient without that assistance, from the apprehension which he still nourishes of the reappearance of the Slave Trade.

The Undersigned has, in answer, to observe to Mr. Howard, that when he told Mr. Howard, in his note of the 14th instant, that the communications received from the Brazilian Minister accredited to Her Majesty the Queen of Great Britain concurred towards confirming the hope which the Imperial Government had and still entertained, that Her Britannic Majesty's Government would desist on their part from the exercise of a right over Brazilian merchant-

vessels which does not belong to them according to the Law of Nations, it was grounded upon a despatch, dated the 8th of last month, from the Brazilian Envoy Extraordinary and Minister Plenipotentiary, informing him that one of the arguments alleged by Lord Clarendon for not acceding to the revocation of the Bill of 1845 was, that it caused no injury to Brazil, because it was not in execution, nor would it be as long as the Slave Trade continued to be repressed by the Imperial Government. Now, as it is a notorious fact that the Traffic continues to be efficaciously repressed by the Imperial Government, who have not towards this end spared either sacrifices or expense, the Undersigned had reason to be persuaded that the right of search would not be exercised, even upon the high seas, on Brazilian vessels by the cruizers of Her Britannic Majesty.

This right, exercised in time of peace, without a Convention to authorize it, notwithstanding the efforts of the Imperial Government to conclude one, is an offence against the principles which regulate the sovereignty and independence of nations; and the Imperial Government, in exclaiming against it, comply with a sacred duty: and so much the more indisputable is their right to do so, from the acknowledged perseverance and energy with which the said Government have striven to repress the Slave Trade, which has never been more efficaciously or successfully done than since that repression has been entrusted to the legal action and the resources furnished to the Imperial Government.

The Undersigned, in giving these explanations to Mr. Howard, avails, &c.

(Signed) ANTONIO PAULINO LIMPO DE ABREO.

No. 143.

Mr. Howard to the Earl of Clarendon.—(*Received February* 10.)

My Lord, *Rio de Janeiro, January* 4, 1854.

AT an interview which I had yesterday with Viscount Paraná, the President of the Council of Ministers, his Excellency introduced the subject of the British Act of Parliament of August 1845, and of the right of search exercised by Great Britain over Brazilian merchant-vessels, and complained at great length of what he termed the injustice of the proceedings of the British Government towards Brazil, saying that they constituted a luxury of oppression.

Viscount Paraná took up the string of his complaints from a distant epoch, and asserted that, even during the operation of the Convention of 1817, the British cruizers had made illegal captures, and the British Government had refused to act upon awards given by the Mixed Commissions. He then commented severely upon the enactment of the Bill of 1845, previous, as he said, to the proposition of a new Convention in lieu of that which had expired, and upon the stringent measures taken in 1850 by Her Majesty's Government within the territorial limits of the Empire, at a time when the Brazilian Government were seriously occupied with the suppression of the Slave Trade; and he contended that all the efforts of Her Majesty's Government had proved inadequate for that object, and would have continued so, whilst the violence of the acts of the British cruizers had produced irritation in the public mind, and thus impeded the action of the Brazilian Government, which was then sincerely desirous of putting an end to the Traffic. The efforts, on the contrary, which the Brazilian Government had made within the last few years had been crowned with the most complete success; and the Slave Trade, which had previously flourished, notwithstanding our cruizers, was now extinguished. The Brazilian Government were consequently authorized in expecting that Her Majesty's Government, who must be convinced of their good faith, would renounce the exercise of rights not given to them by international law, and would repeal the Act of 1845, which, moreover, as an exceptional measure, ought to cease when the object for which it had been passed was attained.

Without entering into the particular questions that had arisen during the period when the Convention of 1817 was in force, I replied that the British Government were not to blame for the cessation of that Convention, of which notice had been given by Brazil; that the Act of 1845, which had been reluctantly resorted to by the British Government was the necessary consequence

of its termination without the conclusion of a new Treaty, and of the long course of violations by the Brazilian Government of the perpetual obligations contracted by Brazil under the Treaty of 1826, violations which had continued to within a recent epoch ; for it was notorious that the Brazilian Government, if they had not directly encouraged the Slave Trade, had countenanced it, and connived at it. It was, I said, the continued violation by Brazil, during a period of upwards of twenty years, of the sacred duty she had undertaken to suppress the Slave Trade, which had forced Her Majesty's Government in 1850 to make a more extended use of the powers accruing to them from the Treaty of 1826, and under the Act of 1845. The effect of the adoption of the more stringent course in question had not been, as his Excellency maintained, to impede the action of the Brazilian Government, but it had been, on the contrary, in the opinion of those persons who were most conversant with the subject, to give the necessary impulse to the Brazilian Government ; and, in support of my statement, I quoted the evidence of Senhor de Andrade, who, before a Committee of the House of Commons during last Session of Parliament, had admitted that the activity of the British cruizers had precipitated the conduct of the Brazilian Government.

The circumstances of the late endeavours of the Brazilian Government towards the suppression of the Slave Trade having met with success, only proved the justice of our former allegations that the Brazilian authorities could, if they had chosen it, have done much to put an end to it.

I further observed that Her Majesty's Government had made frequent proposals to the Brazilian Government for a new Treaty, which had been declined, and that as recently as last summer they had brought forward a fresh draft of Treaty, not differing materially from our Treaty with Portugal, and providing for a suspension during its operation of the exercise of the powers conferred upon the British Government by the Act of Parliament of the 8th of August, 1845.

This draft of Treaty had likewise, I understood, been rejected by the Brazilian Government, and, under the circumstances, I did not see how Her Majesty's Government could consent to repeal the Act of Parliament in question, however ready they were to acknowledge the humane and honourable course now pursued by the Brazilian Government ; nor did I think it likely that they would be willing to abandon, in respect to Brazilian merchant-vessels, a right of search which they have exercised on the high seas in respect to Portuguese and Spanish vessels.

Although the Slave Trade was checked at present, yet, as your Lordship had observed to me in a late despatch, the spirit of slave-trading still existed in Brazil ; the conversion, I said, of the people of Brazil, from slave-trading principles, appeared to me to be too recent to be complete, and I felt persuaded the unassisted efforts of the Brazilian Government would be insufficient to put down the Traffic ; and that, were the check placed upon it by our cruizers, removed by the withdrawal of the latter, it would be revived in such a manner as to baffle the means at the disposal of the Brazilian Government for its suppression. I therefore regretted that the Brazilian Government should have thought proper to remonstrate as they had done in the notes I had lately received, against the continued exercise of the right of search over Brazilian merchant-vessels by Her Majesty's cruizers ; I said that matters had been going on satisfactorily, and I thought the Imperial Government had better have left well alone.

Viscount Paraná rejoined by repeating the opinion he had expressed in the former part of our conversation, relative to the Act of 1845, to the sufficiency of the means at the disposal of the Brazilian Government to suppress the Slave Trade and inadequacy of those employed by Her Majesty's Government ; and remarked, with regard to the latter point, that were the Brazilian Government even now to cease their repressive measures and remain with their arms folded, without however doing anything to favour the Trade, we should see how incapable we should be of keeping it down ; such a course, however, they would not pursue. He denied that the Brazilian Government had ever countenanced the Slave Trade ; though he admitted that they had not, at one time, taken any active measures to suppress it. Public opinion, which was then in favour of the Slave Trade, had prevented them from doing so. In 1848, however, a change of Administration took place. The opinion of the Council of State was taken ; the dissolution of the Chambers in 1849 prevented anything being done in that year ; but in 1850 the Government brought forward and carried through the

Legislature their measures for the suppression of the Slave Traffic, and since that period their efforts had been crowned with complete success. This brought his Excellency again to the revocation of the Act of 1845, as a concession which he considered the Brazilian Government had a right to expect.

With regard to the draft of a new Treaty lately proposed by Her Majesty's Government, the President of the Council stated that he did not reject it; that he would not say that it might not be adopted; but he would not sign that Treaty or any other, unless the Act of 1845 were previously repealed. Weak nations could not with honour make the same concession as more powerfnl countries, and it had now become a question of self-pride (amour propre), with Brazil that the Act in question should, in the first instance, be rescinded, and he, for his part, would never have the moral courage to propose to the Legislature the adoption of a Treaty whilst that Act remained in force. The Opposition might wish him perhaps to do so, but he would not give them that satisfaction. His Excellency further observed, that if Her Majesty's Government were to satisfy the Brazilian Government by repealing the law, and should no Treaty be concluded within, say, a couple of years, and the necessity of the law be shown, Her Majesty's Government would certainly, considering the feeling existing in England respecting the Slave Trade, find no difficulty in inducing Parliament to re-enact it, in the same manner as bills concerning Ireland had been allowed to expire, and had subsequently been re-introduced and put into force. In answer to an inquiry which I had addressed to his Excellency whether there was any truth in a rumour which had been mentioned to me, that there was a question of his proceeding to England on a mission connected with the subject which we were discussing, he replied that there was no foundation for it; that it was not the intention of the Brazilian Government to propose any new Treaty; they were willing to let matters stand as they were, and as long as he was in office, whether with or without a Treaty, he would strain every nerve for the suppression of the Slave Trade.

I need not trouble your Lordship with a detail of the further remarks I addressed to his Excellency, except to state that I said I did not see what harm the Act of 1845 did to Brazil; that I thought the "amour propre," to which he had alluded, was misplaced; and that, as to repealing the Act with the chance of being obliged to re-enact it, it was painful enough for Her Majesty's Government to have been obliged to apply once to Parliament for the powers it conferred upon them, and it would therefore, it appeared to me, be better to retain them than incur the risk of having to make a second application to Parliament.

I think it right to state that at the commencement of our conversation Viscount Paraná said that he should speak to me without reserve, but that he of course did so only as an individual member of the Government.

I have, &c.
(Signed) HENRY F. HOWARD.

No. 144.

Mr. Howard to the Earl of Clarendon.—(*Received February* 10.)

My Lord, *Rio de Janeiro, January* 4, 1854.

WITH reference to the subject of my two preceding despatches, I beg to state that the opinion of the best informed persons on slave matters with whom I have had an opportunity of conversing, concurs with the humble one which I have formed, that the presence of Her Majesty's cruizers on the coast of Brazil, and the possession by them of the right of searching Brazilian merchant-vessels, although they may not have at present the opportunity of making captures, serves as a most wholesome check, not only upon the slave-dealers, but likewise upon the Brazilian authorities, and that were the powers under which they are now acting withdrawn, without the substitution of others equally efficient, the consequence would be the revival of the Slave Trade.

I have, &c.
(Signed) HENRY F. HOWARD.

No. 145.

Mr. Howard to the Earl of Clarendon.—(*Received February* 10.)

My Lord, *Rio de Janeiro, January* 7, 1854.

WITH reference to the late Mr. Southern's despatch of the 26th April, 1852, to the Earl of Malmesbury, reporting the circumstances under which he had sent the liberated African, Fernando, on board Her Majesty's depôt-ship "Crescent," and with further reference to Mr. Jerningham's despatch of the 30th of August last to your Lordship, relative to the discharge of that individual from the "Crescent" into Her Majesty's store-ship "Tyne" for conveyance to England, where, as I learn, his presence was required for the purpose of giving evidence at a court-martial on the gunner of the former vessel, I beg to acquaint your Lordship that Admiral Henderson has informed me of the return to Rio de Janeiro of Fernando on board Her Majesty's ship "Madagascar," and has requested my directions in respect to the disposal of him.

I have replied to Admiral Henderson by requesting him to retain the African on board the "Madagascar" until an opportunity should occur of sending him to a British colony; but as I learn from the Admiral, as well as from Mr. Consul Westwood, Her Majesty's Emigration Agent, that neither of them are likely to have any opportunity of transporting him directly to such a destination, the Admiral having no communication with the West Indies, and Mr. Westwood having on former occasions been obliged to charter a vessel expressly in order to convey thither the more numerous liberated Africans in depôt here, I am under the necessity of applying for your Lordship's instructions relative to the manner in which he should be disposed of.

Fernando's own wish is to be sent back to Cabinda, in Africa, of which he is a native; and if I were to offer any suggestion, it would be that he should be forwarded to England in the first instance by one of Her Majesty's ships that may be on its return, to be transmitted from thence to whatever destination your Lordship may direct, unless it should be your Lordship's intention to comply with the wish of certain negroes in Rio, referred to in Mr. Jerningham's despatch of the 11th of June last to your Lordship, and formerly favourably received by Viscount Palmerston, of obtaining a passage in one of Her Majesty's ships to Cabinda, where they desire to establish a colony, in which case Fernando might await the same opportunity.

I have, &c.
(Signed) HENRY F. HOWARD.

No. 146.

Mr. Howard to the Earl of Clarendon.—(*Received February* 14.)

My Lord, *Rio de Janeiro, January* 13, 1854.

IN compliance with the instructions contained in your Lordship's despatch of the 25th of November last, I conveyed to the Brazilian Minister for Foreign Affairs, in the note of which I have the honour of inclosing a copy, the satisfaction of Her Majesty's Government at the presentation by the President of the Imperial Council to the Brazilian Senate during the last session of the Legislature, of the project of Law by which it is intended to give additional powers to the Judges of the Marine Tribunal, for the purpose of trying persons suspected of being engaged in the Slave Trade.

Senhor Limpo de Abreo has already acknowledged to me the receipt of that note.

I have, &c.
(Signed) HENRY F. HOWARD.

Inclosure in No. 146.

Mr. Howard to Senhor Limpo de Abreo.

Sir, *Rio de Janeiro, January* 10, 1854.

MR. JERNINGHAM having transmitted to Her Majesty's Principal Secretary of State for Foreign Affairs, the Earl of Clarendon, the project of Law which was presented by the Imperial President of the Council to the Brazilian Senate, and by which it is intended that additional powers should be given to the Judges of the Marine Tribunal (Auditores da Marinha), for the purpose of trying persons suspected of being engaged in Slave Trade, I have been instructed by his Lordship to express to your Excellency the satisfaction of Her Majesty's Government at this fresh proof of the desire of the Imperial Government to suppress the Slave Trade.

In discharging by this communication the agreeable duty which has devolved upon me, I avail, &c.

(Signed) HENRY F. HOWARD.

No. 147.

Mr. Howard to the Earl of Clarendon.—(Received February 14.)

My Lord, *Rio de Janeiro, January* 13, 1854.

WITH reference to your Lordship's despatch of the 8th of December last, I have the honour of inclosing herewith a translation of the note of the 9th of November, by which the Brazilian Minister for Foreign Affairs, Senhor Limpo de Abreo, in reply to Mr. Jerningham's note referred to by your Lordship, stated the measures he had taken with a view to promote the liberation of the woman and two children belonging to the late John Craven.

I likewise beg to inclose a copy of the note which I addressed to Senhor de Abreo on the 10th instant, in execution of the instructions contained in your Lordship's above-mentioned despatch, urging his Excellency to take every necessary step in order to accelerate the manumission of those individuals, as well as the translation of a note which I have received from his Excellency in reply, stating that he was about to write to the President of the province of Minas Geraes, in which John Craven died, requesting him to report upon the state of the case.

I have, &c.

(Signed) HENRY F. HOWARD.

Inclosure 1 in No. 147.

Senhor Limpo de Abreo to Mr. Jerningham.

(Translation.) *Rio de Janeiro, November* 9, 1853.

THE Undersigned, &c., has the honour to acknowledge the receipt of the note of the 8th ultimo, wherein Mr. William Stafford Jerningham, &c., replies to the communication made to him by this Ministry of the decease, in the city of Marianna, in the province of Minas Geraes, of the British subject John Craven, intestate, and without leaving any heirs in that place.

Mr. Jerningham, being informed by Her Britannic Majesty's Consul in this capital of the existence, among the effects of the deceased Craven, of 3 slaves, a woman and 2 children, finds from the statements of some friends of the deceased, that it had been his intention to free them at his death, having even, to that effect, left a written document, of which the Judge of the Orphans took no notice, and was desirous of selling the said slaves.

In consequence of this, Mr. Jerningham calls the attention of the Imperial Government to this subject, requesting that the most positive instructions might be sent to the authorities at Marianna for compliance with the wishes of the

deceased as regards the freedom of those 3 individuals, upon its being shown that such was his wish and intention.

In reply, I have the honour to transmit to Mr. Jerningham copy of the despatch which, on this subject, was addressed to me on the 2nd instant by the President of the province of Minas, accompanied by the report, of which a copy is also annexed, of the Municipal Judge and of Orphans in Marianna. As that Judge in his report merely notices that he had been informed of the existence of such a declaration, which was said to have been written at the request of Craven, who could neither read nor write, and states that he had named a curator of the said slaves, who is claiming the freedom of his clients by a legal proceeding, which will have to be submitted to the Supreme Court of Justice.

Notwithstanding the recommendation also forwarded to the President of Minas in the sense of the note of the British Legation, to which the present is a reply, the Imperial Government, under this date, reiterates its recommendation to the said President to take all such steps as are in his power in order that the cause touching the freedom of the said individuals may be properly treated and defended.

In thus replying to the said note, and satisfying the desire manifested by Mr. Jerningham, the Undersigned avails himself, &c.

(Signed) ANTONIO PAULINO LIMPO DE ABREO.

Inclosure 2 in No. 147.

The President of the Province of Minas to Senhor Limpo de Abreo.

(Translation.)

Most Illustrious and Excellent Sir, *Geraes, November* 2, 1853.

IN transmitting to your Excellency the inclosed information, furnished under date of the 28th ultimo by the Doctor Municipal Judge of the city of Marianna, relative to the subject of Her Britannic Majesty, John Craven, in compliance with the despatch from your Excellency's department dated the 10th of the said month, I have to add, that this Government will take all such measures as may be necessary, and are within its reach, towards the cause of the freedom of the individuals in question being well treated.

God preserve, &c.

(Signed) FRANCISCO DIOGO PEREIRA DE VASCONCELLOS.

Inclosure 3 in No. 147.

The Municipal Judge to the President of the Province of Minas.

(Translation.)

Most Illustrious and Excellent Sir, *Marianna, October* 28, 1853.

I RECEIVED a despatch from his Excellency Dr. José Lopes da Silva Vianna, Vice-President of this province, transmitting to me a copy of the note which accompanied the order of the Minister for Foreign Affairs, dated the 10th instant, to report whether John Craven, a subject of Her Britannic Majesty, had died intestate in this district, leaving 3 slaves, who, as it is said, it was the intention of the deceased, were to remain free at his death.

On the date of the 29th of February of the present year, I informed his Excellency the Councillor Luiz Antonio Barboza, the then President of this province, that in the village of Passagem, in this district, John Craven, a British subject who lived in a state of misery, died intestate, leaving but few effects, amongst which were three slaves, that is, a mother and 2 children.

By virtue of existing laws I took charge of everything, and, after going through the usual formalities, I ordered those effects to be disposed of which could not admit of delay; and the net proceeds of the whole, as appears by the annexed document, is 193$774, independent of the 3 slaves, respecting whom, as six months had already elapsed, it was necessary that steps should be taken.

A friend and countryman of the deceased presented to me a paper, which he said was Craven's will, signed at his request because he did not know how to write, witnessed by one person, in which he said that his slaves were free at his death. It was not possible to hold that paper as valid, but I awaited the reply to my report in order to see this question discussed, and as no instructions were received, I ordered the necessary steps to be taken towards the winding up of this inheritance, and then the friend of the deceased, having informed the Court judicially of the existence of that paper, I named an able advocate, of Ouro Preto, as curator of the said slaves, who immediately brought an action for the purpose of obtaining their freedom, and the cause is at present before the Court.

This is the state of the question, and, whatever may be its result in this Court, it must go up to the Supreme Court of Justice, either by appeal *ex officio*, or through the curator, who is thereto disposed, and therefore no fear can be entertained but that the freedom of these individuals will be well attended to.

This is all that I can inform your Excellency.

God preserve, &c

(Signed) FRANCISCO GALDINO DA COSTA CABRAL,
Municipal Judge, and of Orphans at Marianna.

Inclosure 4 in No. 147.

Mr. Howard to Senhor Limpo de Abreo.

Sir, *Rio de Janeiro, January* 10, 1854.

I HAVE the honour to inform your Excellency that I have received a despatch from Her Majesty's Principal Secretary of State for Foreign Affairs, the Earl of Clarendon, acquainting me that his Lordship has approved of the note which Mr. Jerningham addressed to your Excellency on the 8th of October last, and in which he urged the liberation of the woman and two children belonging to the late John Craven, and instructing me to renew my representations to the Imperial Government to the same effect.

With reference, therefore, to your Excellency's reply to Mr. Jerningham of the 9th of November, I beg to request your Excellency to be so good as to give your continued attention to this subject, and to cause every necessary step to be taken with a view to accelerating the manumission of the individuals in question.

I avail, &c.

(Signed) HENRY F. HOWARD.

Inclosure 5 in No. 147.

Senhor Limpo de Abreo to Mr. Howard.

(Translation.) *Rio de Janeiro, January* 11, 1854.

I HAVE the honour to acknowledge the receipt of the note which, under the date of the 10th instant, was addressed to me by Mr. H. F. Howard, &c., in which he informs me that he was instructed by his Government to urge on the Imperial Government the manumission, without delay, of the 3 slaves belonging to the inheritance of the British subject John Craven, who died intestate in the province of Minas Geraes, and which formed the subject of Mr. Jerningham's note of the 8th of October last.

In answer, I have to state to Mr. Howard, that I am going to address myself afresh to the President of that province, calling for information respecting the present state of proceedings in this case, which the Government have not lost sight of, and which at different times has been recommended to the attention of that President.

I renew, &c.

(Signed) ANTONIO PAULINO LIMPO DE ABREO.

No. 148.

Mr. Howard to the Earl of Clarendon.—(*Received February* 14.)

My Lord, *Rio de Janeiro, January* 13, 1854.

IN my despatch of the 12th of December last, I reported to your Lordship my having communicated to the Brazilian Minister for Foreign Affairs, Senhor Limpo de Abreo, the information transmitted to your Lordship by Her Majesty's Consul at Rotterdam, relative to certain vessels which are said to have been sent from Bahia to the Bight of Benin for slave-trading purposes.

I have now the honour of inclosing to your Lordship the copy of my note to Senhor de Abreo on the subject, as well as translations of two notes which I have received from his Excellency in reply, stating the steps which he has taken with a view to prevent the departure from Brazilian ports of vessels suspected of being engaged in the Slave Trade, and to frustrate any attempted importation of Africans.

I have, &c.
(Signed) HENRY F. HOWARD.

Inclosure 1 in No. 148.

Mr. Howard to Senhor Limpo de Abreo.

Sir, *Rio de Janeiro, December* 12, 1853.

I HAVE the honour to acquaint your Excellency that information has reached Her Majesty's Government, indirectly from the coast of Africa, to the effect that Portuguese and other vessels clearing out from Bahia are half-loaded with rum and tobacco, but that below those goods the hold is filled with empty water-casks and fetters required for the Slave Trade, and that recently vessels so laden have arrived in the Bight of Benin.

I think it right to communicate this intelligence to your Excellency, in order that the attention of the Imperial authorities at Bahia, and in other Brazilian ports, may be called to it with a view to keeping a strict watch over vessels of the description referred to.

I avail, &c.
(Signed) HENRY F. HOWARD.

Inclosure 2 in No. 148.

Senhor Limpo de Abreo to Mr. Howard.

(Translation.) *Rio de Janeiro, December* 14, 1853.

I ACKNOWLEDGE the receipt of the note which Mr. Henry F. Howard, &c., addressed to me on the 12th instant, communicating that his Government had received indirect information, from the coast of Africa, that Portuguese vessels, and of other nations, were dispatched from Bahia half-laden with rum and tobacco, but that underneath these their holds were full of water-casks and other articles destined for the Slave Trade; adding, that vessels thus laden had lately arrived in the Bight of Benin.

In answer, I have the honour to state to Mr. Howard, that I hastened to bring this communication to the knowledge of the Minister of Justice, in order that his Excellency might issue such orders as he might judge most suitable towards preventing the departure, from the ports of the Empire, of vessels legitimately suspected of going to be engaged in Slave-Trading; and in this same sense I have forwarded the necessary recommendations to the Presidents of the provinces.

I avail, &c.
(Signed) ANTONIO PAULINO LIMPO DE ABREO.

Inclosure 3 in No. 149.

Senhor Limpo de Abreo to Mr. Howard.

(Translation.) *Rio de Janeiro, December* 27, 1853.

THE Undersigned, &c., has already had the honour to acknowledge the receipt of the note which Mr. Henry F. Howard, &c., addressed to him under date of the 12th instant, informing him of the intelligence which his Government had received, that some Portuguese vessels, and of other nations, had lately been cleared out at Bahia for the coast of Africa half-laden with tobacco and rum, and underneath these with water-casks and other articles destined for Slave Trade; and that some of those vessels thus laden had already arrived in the Bight of Benin.

The Undersigned replied to Mr. Howard in a note of the 14th of the same month, that he had brought that information to the knowledge of the Minister of Justice, in order that his Excellency might issue such orders as he should consider expedient for preventing the departure, from the ports of the Empire, of vessels legitimately suspected of being employed in the Slave Trade; and adding that he had, in the same sense, forwarded the necessary recommendations to the Presidents of the provinces.

The Undersigned did, in fact, on the same date of Mr. Howard's note, send precise orders and instructions to those Presidents; and, besides the despatch to the Minister of Justice, in which also the case of any attempt being made to import Africans was guarded against by the request that he should take measures for effecting seizures, either at sea or on shore, in stimulating the zeal of the respective authorities charged with the means of repression, in which the Imperial Government is so much interested, the Undersigned likewise addressed himself for the same purpose to the Minister of Finance.

The Undersigned has already received answers from some Presidents, stating that they would take into their most serious consideration such momentous facts as those referred to by Mr. Howard; and on this occasion the Undersigned communicates to Mr. Howard what, under the date of the 21st instant, he has just received from the President of Bahia, from whence it is said that many suspected vessels had sailed for the coast of Africa. The reply of this President is, that he was going to issue orders, and take the necessary steps towards ascertaining the truth of the information given, and that he would shortly acquaint the Undersigned with the result; adding the assurance that he would not spare any efforts towards meeting the views of the Imperial Government, not only to prevent any attempt being made to introduce Africans, but also in punishing those who involve themselves in these criminal negotiations.

The Undersigned, &c.

(Signed) ANTONIO PAULINO LIMPO DE ABREO.

No. 149.

Mr. Howard to the Earl of Clarendon.—(Received February 14.)

My Lord, *Rio de Janeiro, January* 13, 1854.

I HAVE the honour of inclosing herewith translations of two resolutions of the judicial section of the Council of State, to which the sanction of the Emperor of Brazil is attached, confirming the sentences by which the Vice-Admiralty Court condemned the vessels named "*Segundo*" and "*Tolerante*" (formerly called the "*Flora*"), as good prizes, for having been engaged in the Slave Trade.

I have, &c.

(Signed) HENRY F. HOWARD.

Inclosure 1 in No. 149.

Sentence in the case of the "Segundo."

(Translation.)

Sire,

THE sentence of the Vice-Admiralty Court which adjudicated as a good prize the palhabote named "*Segundo*," seized in Itapemerim, is in such conformity with the provisions of right, and so well founded on the full proof of that vessel having been engaged in the illegal Slave Trade, that the Section of Justice of the Council of State has nothing more to add in confirmation of that sentence.

Thus complying with the mandate of the 17th instant, the Section respectfully submits this opinion to your Imperial Majesty's high consideration, in order that your Majesty may deign to receive it as may be according to justice.

Chamber of Conferences of the Section of Justice of the Council of State, November 28, 1853.

(Signed) CAETANO MARIA LOPES GAMA.
VISCONDE DE ABRANTES.
PAULINO JOSE SOARES DE SOUZA.

Be it so.

(The Signature of His Majesty the Emperor.)

At the Palace, December 7, 1853.

(Signed) JOSE THOMAS NABUCO D'ARAUJO.

Let this be complied with.

At the Palace, December 10, 1853.

(Signed) JOSE THOMAS NABUCO D'ARAUJO.

Inclosure 2 in No. 149.

Sentence in the case of the "Tolerante."

(Translation.)

Sire,

THE Section of Justice of the Council of State has the honour to bring to the august presence of your Imperial Majesty the opinion which it is bound to give respecting the capture of the brig "*Tolerante*," which was tried and adjudicated in the first instance by the Auditor-General of Marine.

The cutter "Narcesa" having sailed from the port of Rio de Janeiro on the 10th day of June, 1849, with two Custom-house guards, to cruize and visit those vessels and ports where it was suspected that smuggling was going on, she entered the Bay of Palmas on the 25th of said month, and from thence went to the Bay of Dois Rios, having learnt that a vessel was lying there, which was, in fact, the brig "*Tolerante*," then in the act of discharging bees' wax and other articles at that place. During the search of the vessel by the two guards, they found out, even from the confession of the master himself, that that brig (which was named the "*Flora*" when belonging to citizens of the United States), besides the goods she was smuggling on shore, had brought five hundred and fifty odd negroes from the coast of Africa. As the guards could not seize the vessel, owing to the resistance offered by the master, who immediately caused some of the indications of the crime committed to be destroyed, they applied for assistance to the Portuguese corvette "Iris," and to an English war steamer, and thus they succeeded in capturing that vessel, then abandoned by the master and crew, a sky-rocket from the shore having announced to them the return of the captors.

After the examinations and searches made by the Municipal Judge touching this prize, the jury declared her to be a good prize. The proprietor of the vessel having appealed to the Supreme Court of Justice, that tribunal was of opinion that the Auditor-General of Marine was the competent authority for taking

cognizance of this capture, as the suit was still pending when the Law of the 4th of September, 1850, was published. Whilst the process was running on in the Court of the Auditor-General of Marine, the owner was allowed to have a sight of the papers. The following are the principal reasons upon which he founds his claim for restitution:

Although, he says, the provisions of the Law quoted, and of the regulation by which it is accompanied, ought to regulate the form of the process, notwithstanding the capture having been effected previous to that legislation, they cannot nevertheless determine the matter of the criminality of the vessel, nor basis of the adjudication, which ought to be decided by the anterior legislation. The anterior legislation is that of the 7th of September, 1831, and it was that which served as a basis for the process and accusation; this legislation only considered as criminals those who should import slaves into Brazil, defining who are importers, and classifies in the first place the commander, master, or boatswain of the vessel, and after these all those who knowingly concurred towards effecting the importation.

That he, the proprietor, not having concurred towards, what he calls, the supposed crime of the importation of Africans by his brig the "*Tolerante*," being innocent, as is seen from the sentence pronounced; that no penalty whatever being imposed by the cited Law of 1831, nor by the Criminal Code upon the proprietor of a vessel captured for being engaged in the Slave Trade from the coast of Africa, and he not having taken any part in that crime, he was not rendered liable by that legislation to suffer the loss of his vessel, even if he had been guilty; and he concludes, that he ought not by virtue of that legislation to be deprived of his property.

He further says, that such cannot take place by virtue of conventional right, because the Convention of the 23rd of November, 1826, which considered as a piracy all trade in slaves from the coast of Africa, and all the additional provisions to that Convention, ceased since the notification made by the Government of Brazil to that of Great Britain in 1845, and that it was by that conventional right that vessels caught with slaves on board were lost to their owners.

The proprietor of the brig "*Tolerante*" acknowledges, however, that the first Article of the said Convention continued to subsist, and that by it the Brazilian Government is obliged to treat the Slave Trade as piracy; but this Traffic, he says, is not, properly speaking, piracy, punishable according to the rights of nations; that it is only placed in this Article upon the footing of piracy by a mere fiction of right; that it is conventional and municipal piracy, which can only be repressed and punished by express laws. But, however, as those which were applicable to the prize in question did not impose the penalty of the loss of the vessel, he hopes that justice will be done to him, by the revocation of the sentence against which he appeals.

The Auditor-General of the Marine paid no attention to these allegations, which were also placed before him, and adjudicated the vessel as a good prize. Nor could the adjudication have been different, from the proofs of the brig "*Tolerante*" having been engaged at the time in the Slave Trade, and according to the provisions of the Law of the 4th of September, 1850, which it was the duty of that magistrate wholly to comply with, and not in that part only relating to the form of the process, as the claimant expected. Even, however, if the interpretation furnished by him of that Law were admissible, it would not improve his case.

The conventional right which obliged the High Contracting Parties to consider the Slave Trade as piracy, did nothing more than to subordinate, in this part, being that which remained in force after the notification of the Treaty of 1826, the persecution of this crime to the principles of the rights of nations, according to which it appertains to each Government to regulate the more or less inflictive and ignominious penalties upon pirates. It was however necessary, with regard to the captured vessels engaged in this piratical traffic, to introduce an especial stipulation that they should belong to the respective Governments, and not to the captors,—a stipulation which experience showed to have not been so efficacious as the principle of the rights of nations, which was thereby altered, and which forms a part of the fifth Article of the Law of the 4th of September, 1850.

The vessels thus captured do not, therefore, as the claimant presumes, remain exempted from 1845 to 1850 from those proceedings which are to be

followed against piratical vessels. If the owners of piratical vessels were to be allowed to prove their innocence, for the purpose of such vessels being given up to them, the first Article of the quoted Convention would be infringed, and the Slave Trade, which is by it proscribed, would be encouraged, because the crew, by flight (as generally happens) would escape from just and well-deserved punishment; the delivering up of these vessels to the persons who fitted them out would only be a recommendation to them to employ them again in that piracy.

The Section does not doubt, that amongst the owners of vessels there may be some one, like that of the brig "*Tolerante*," who, only through the barratry of the master, has to lament the employment of his vessels in the Slave Trade to the coast of Africa; but these rare instances of innocence cannot destroy the principles of the universal right which adjudicates piratical vessels to their captors, and which only desires the restitution of what they may have stolen, as happens in the piracy in question, which is the freedom of kidnapped slaves. Besides, there was not a single slaver which did not appear to be bound upon a lawful voyage by means of legal clearances, and other papers, prepared beforehand, for the purpose, in this manner, of guarding the owner, if not from the loss of the vessel, at least from criminality being proved against him in case of her being captured.

The question which might have arisen in regard to vessels so captured since the notification of 1845, until the publication of the Law of the 4th of September, 1850, would be, whether they ought to belong to the Government, as permitted by the stipulations which had ceased to be in force, or whether they should belong to the captors, as is required by the universal rights of nations, which, in consequence of the first Article of the cited Convention remained, serving, after the cessation of the said stipulations, as the only rule to be followed on this point, which has no connection with the penalties fulminated against pirates by the laws of each country. This question, however, was decided by the Law of the 4th of September, 1850, with respect to those prizes whose causes, like that now in question, might still be pending, and it was ordered that they should be divided among the captors.

The Section, therefore, is of opinion that the confirmation of the sentence of the Auditor-General of Marine will be one more of those acts whereby your Imperial Majesty has known how to put a stop to so fatal and calamitous a piracy to Brazil.

Chamber of Conferences of the Section of Justice of the Council of State, December 12, 1853.

(Signed) CAETANO MARIA LOPES GAMA.
VISCONDE DE ABRANTES.
PAULINO JOSE SOARES DE SOUZA.

Be it so.

At the Palace, December 17, 1853.

(Signed by His Majesty the Emperor.)

(Signed) JOSE THOMAS NABUCO DE ARAUJO.

Let this be complied with.

At the Palace, December 24, 1853.

(Signed) JOSE THOMAS NABUCO DE ARAUJO.

No. 150.

Mr. Howard to the Earl of Clarendon.—(*Received February* 14.)

My Lord, *Rio de Janeiro, January* 13, 1854.

MR. MORGAN, Her Majesty's Consul at Bahia, having transmitted to me a copy of the despatch which he addressed to your Lordship on the 17th of December last, relative to the information he had received of an anticipated attempt to land slaves on the coast of the province of Alagoas, I communicated that despatch, as well as one from Mr. Morgan to myself, on the same subject, to Admiral Henderson, and suggested to him the expediency of dispatching

another cruizer to that part of the Brazilian coast, in addition to the "Trident," now on the Bahia station.

In reply, Admiral Henderson has addressed to me the despatch of which I have the honour of transmitting a copy, acquainting me with his intention shortly to send to that destination Her Majesty's steam-vessel "Sharpshooter," and forwarding to me a copy of the report made by Lieutenant Harvey, commanding Her Majesty's steam-vessel "Trident," of his proceedings consequent upon the information given him by Mr. Consul Morgan.

Of this report, as well as of its inclosure from Mr. Morgan, copies are annexed to Admiral Henderson's despatch.

I have, &c.
(Signed) HENRY F. HOWARD.

Inclosure 1 in No. 150.

Rear-Admiral Henderson to Mr. Howard.

Sir, "*Centaur*," *at Rio de Janeiro, January* 12, 1854.

IN acknowledging the receipt of your Excellency's letter of the 10th instant respecting a supposed plan for landing African slaves in the Province of Alagoas, I have the honour to inclose for your information a report on that subject from Lieutenant Harvey, of Her Majesty's steam-vessel "Trident."

Though it appears thereby that the Brazilian authorities have taken prompt measures to guard against such an attempt being successfully carried out, I have no doubt, looking to the various reports in circulation, that a second cruizer on the Bahia station will be found useful. I shall therefore shortly despatch Her Majesty's steam-vessel "Sharpshooter" to cruize on that part of the coast until further orders.

I have, &c.
(Signed) W. W. HENDERSON.

Inclosure 2 in No. 150.

Consul Morgan to Lieutenant Harvey.

Sir, *Bahia, December* 21, 1853.

I HAVE to acquaint you that I have received information that the Sardinian patacho "*Iride*," and Portuguese yacht "*Veloz*," are waiting a favourable opportunity to receive slaves on the coast of Africa, and that it is their intention to endeavour to effect a disembarkation on this coast.

It was first rumoured that the landing was to take place to the southward of this bay, but I have just learnt that the attempt is to be made at some point on the coast of Alagoas.

I have, &c.
(Signed) JOHN MORGAN, Jun.

Inclosure 3 in No. 150.

Lieutenant Harvey to Rear-Admiral Henderson.

Sir, "*Trident*," *at Bahia, January* 2, 1854.

I HAVE the honour to inclose a copy of a letter, dated the 21st ultimo, addressed to me by Her Majesty's Consul at this place, and to report my proceedings thereon.

Having further conferred with Mr. Morgan on this subject, he acquainted me that the disembarkation would probably take place during the festivities of Christmas, and that by proceeding to Maceio I should be likely to obtain more certain information as to the locality where the attempt would be made.

I proceeded to sea the same evening under steam, and having arrived at

Maceio on the 24th, communicated with Mr. Burnett, Her Britannic Majesty's Vice-Consul, and learnt that there were rumours of some vessels being expected from the coast of Africa, and that Peba, in the vicinity of the Rio San Francisco, was suspected as the spot where the landing would take place, but nothing like satisfactory information could be obtained. I therefore proceeded along the land to that locality on the 27th, and remained cruizing on and off till the 30th, when finding that the vessel could not maintain her position under sail, owing to the strong south-west current, having lost sixty miles, and not deeming the information to be of a nature to justify my keeping my position under steam, I judged it expedient to return to this place to carry out your orders, Sir, respecting vessels leaving Bahia with slave-fittings concealed under their lawful cargoes, more especially as the President of Alagoas had despatched a body of troops to the neighbourhood of Rio de San Francisco, and the Brazilian brigantine of war "Legalidade" left Maceio on the 26th, and was to cruize on and off that river for fifteen days, so that allowing the information to have been correct, there would be little chance of their effecting a landing, or if landed, of the slaves escaping into the country without capture.

I continued down the coast under sail, and arrived at this anchorage about noon on the 1st instant.

Trusting my proceedings will meet with your approbation,

I have, &c.

(Signed) R. B. HARVEY.

No. 151.

Mr. Howard to the Earl of Clarendon.—(*Received February* 14.)

My Lord, *Rio de Janeiro, January* 13, 1854.

I HAVE the honour of inclosing herewith translation of a Decree of the 28th of December last, signed by the Emperor of Brazil, and published in the "Diario" of Rio de Janeiro of the 11th instant, providing that the so-called liberated Africans who shall have served private individuals during fourteen years, are to be emancipated on their petitioning for their release.

I have also the honour of transmitting the copy of a note which I have this day addressed to the Brazilian Minister for Foreign Affairs, Senhor Limpo de Abreo, urging the emancipation, without restriction as to the period of their service, of the remainder of that class of unfortunate beings who have so long been held in slavery in violation of formal Treaty stipulations, and who are not benefitted by the above-mentioned Decree.

A list of those Africans, as far as it could be made out, was transmitted to the Earl of Malmesbury, in the late Mr. Southern's despatch of the 14th of July, 1852, in which reference is likewise made to the previous correspondence of Her Majesty's Legation on the subject of them.

I have, &c.

(Signed) HENRY F. HOWARD.

Inclosure 1 in No. 151.

Decree.

(Translation.)

DECREE No. 1,303 of the 28th December, 1853:

Proclaims the emancipation, at the end of fourteen years' service, of those liberated Africans who have been engaged by private individuals, upon their petitioning for the same, and provides for the destination of the said Africans.

It is my pleasure in conformity with my Imperial resolution of the 24th of the present month, taken with the advice of the Section of Justice of the Council of State, to order that the liberated Africans who shall have served private individuals during the space of fourteen years are to be emancipated, upon their petitioning for the same, with the obligation, however, of residing in the place

which may be appointed by the Government, and to seek employment and receive wages for their services.

José Thomas Nabuco de Araujo, my Counsellor, Minister, and Secretary of State for the Affairs of Justice, is to cause this to be executed at the Palace of Rio de Janeiro, the 28th day of December, 1853, and 32nd year of Independence and of the Empire.

(Signed by His Majesty the Emperor.)

(Signed) JOSE THOMAS NABUCO DE ARAUJO.

Inclosure 2 in No. 151.

Mr. Howard to Senhor Limpo de Abreo.

Sir, *Rio de Janeiro, January* 13, 1854.

MY attention has been attracted by an Imperial Decree of the 28th of December last, published in the "Diario de Rio de Janeiro" of the 11th instant, providing that the so-called liberated Africans who shall have served private individuals during fourteen years, are to be emancipated on their petitioning for their release.

Whilst I am gratified to think that the measure, if I rightly understand it, will probably immediately apply to a large class of those unfortunate individuals who have so long been held in slavery in violation of formal Treaty stipulations, and in whose fate Her Majesty's Government have always taken the deepest interest, I cannot conceal from your Excellency the painful impression which has been produced upon me by the fact of the Imperial Government having fixed so protracted a period of service as fourteen years in order to entitle them to a liberation which has long ago been their right; and I therefore earnestly entreat the Imperial Government, through the medium of your Excellency, to extend to all the Africans who are denominated as liberated, without restriction as to the duration of their service, the benefits of emancipation conferred by the Imperial Decree in question upon a part only of them. Such an act of justice may, I think, be fairly expected from a Government which, like the present Imperial Ministry, have evinced such humane and honourable sentiments on the subject of the Slave Trade.

On the other hand, I beg the Imperial Government to ask themselves whether it would be consonant with those principles of equity and humanity which they profess, to adhere to the long term of service which they have fixed, and by which a class of unoffending and injured individuals would be retained in servitude, in some cases most likely for the rest of their lives, and in others for a period at the expiration of which they may be incapacitated, by the hardships they have undergone, from profiting by the liberty so tardily granted to them.

I observe, likewise, that it is required of the Africans referred to in the Imperial Decree, that they should petition for their liberty; but it is to be feared that the knowledge of their proposed release may be withheld from some of them by their masters, and that even when this is not the case, they may not know how to set about asking for their liberty.

It would, therefore, be desirable that the Imperial Government should dispense with that formality, and at once cause their manumission to be announced to them.

Trusting that the Imperial Government will take these observations into their most serious and favourable consideration, I avail, &c.

(Signed) HENRY F. HOWARD.

No. 152.

The Earl of Clarendon to Mr. Howard.

Sir, *Foreign Office, February* 25, 1854.

I TRANSMIT to you herewith a copy of a despatch* from Her Majesty's Consul at Bahia, inclosing a list of the number of slaves exported coastwise from

* No. 185.

Bahia to Rio de Janeiro during the year 1853, and pointing out the grievous hardships which this practice entails upon the negro population in Brazil.

I have to instruct you to call the attention of the Brazilian Government to the cruelty of this system, as exemplified by Consul Morgan, and to suggest that it be put a stop to by some legislative enactment.

I am, &c.
(Signed) CLARENDON.

No. 153.

The Earl of Clarendon to Mr. Howard.

Sir, *Foreign Office, March* 1, 1854.

I HAVE received your despatches of the 1st and 4th of January, inclosing the continuation of your correspondence with Senhor Limpo de Abreo, and reporting your conversation with Viscount Paraná with regard to the desire of the Brazilian Government that the commanders of British cruizers should cease to visit Brazilian merchant-vessels on the high seas.

And I have to acquaint you that Senhor de Abreo is mistaken in supposing that I held out to the Chevalier de Macedo any expectation that the British officers employed for the suppression of the Slave Trade on the south-east coast of America would be instructed to discontinue the duties which devolve upon them by virtue of Article I of the Anti-Slave Trade Treaty between Great Britain and Brazil of the 23rd of November, 1826. But it will not be necessary that you should reply to M. Limpo de Abreo's note to you of the 30th of December last.

I have at the same time to inform you that Her Majesty's Government entirely approve the language held by you in your conversation with Viscount Paraná upon the subject, and that they fully concur in the opinion expressed in your despatch of the 4th of January, that the Brazilian Slave Trade would soon revive if Her Majesty's cruizers were to relax their present measures of supervision with regard to Brazilian merchant-vessels.

I am, &c.
(Signed) CLARENDON.

No. 154.

The Earl of Clarendon to Mr. Howard.

Sir, *Foreign Office, March* 1, 1854.

WITH reference to your despatch of the 13th of January, I have to instruct you to inform the Brazilian Minister for Foreign Affairs that Her Majesty's Government has learnt with satisfaction that the Brazilian Government has given directions to the proper authorities, in consequence of the information which you communicated to his Excellency by my instructions as to vessels destined for the Slave Trade having cleared out from Bahia with empty water-casks and fetters concealed under their cargoes of rum and tobacco.

I am, &c.
(Signed) CLARENDON.

No. 155.

The Earl of Clarendon to Mr. Howard.

My Lord, *Foreign Office, March* 2, 1854.

I HAVE received your despatch of the 13th of January, and I have to inform you that I approve of your having applied to Rear-Admiral Henderson to send a second cruizer to the coast of the province of Alagoas, where it was supposed that an attempt would be made to land a cargo of slaves.

I am, &c.
(Signed) CLARENDON.

No. 156.

The Earl of Clarendon to Mr. Howard.

My Lord, *Foreign Office, March* 2, 1854.

WITH reference to your despatch of the 13th of January I have to acquaint you that Her Majesty's Government entirely approve the letter which you addressed to the Brazilian Minister for Foreign Affairs on the 13th of January, urging the Brazilian Government to extend to all the liberated Africans, without restriction, the benefits of the emancipation conferred by the Brazilian Decree of the 28th of December last.

I am, &c.
(Signed) CLARENDON.

No. 157.

The Earl of Clarendon to Mr. Howard.

Sir, *Foreign Office, March* 7, 1854.

WITH reference to your despatch of the 7th of January, requesting instructions as to the disposal of the liberated African Fernando, I have to state that it appears to me that the only course which can be pursued with regard to this man is that he should be received back on board Her Majesty's ship "Crescent," there to await the first opportunity that may offer for sending him to a British colony.

I am, &c.
(Signed) CLARENDON.

No. 158.

Mr. Howard to the Earl of Clarendon.—(*Received March* 16.)

My Lord, *Rio de Janeiro, February* 11, 1854.

WITH reference to my despatch of the 13th ultimo, relative to the question of the manumission of 3 slaves who belonged to the late John Craven, I have the honour to transmit to your Lordship a translation of a further note which I have received from the Brazilian Minister for Foreign Affairs, Senhor Limpo de Abreo, acquainting me with the present state of the proceedings in this case, which, it is stated, will shortly be brought to a close.

I have, &c.
(Signed) HENRY F. HOWARD.

Inclosure 1 in No. 158.

Senhor Limpo de Abreo to Mr. Howard.

(Translation.) *Rio de Janeiro, February* 7, 1854.

IN addition to the note which I addressed to Mr. Henry F. Howard, &c., on the 11th ultimo, relative to the state of the judicial proceedings in the case of the freedom of the 3 slaves belonging to the British subject John Craven, who died intestate in the city of Marianna, I have now the honour to transmit to him the last information which the Imperial Government has just received from the President of Minas Geraes, in the inclosed copy of an official report of the Municipal Judge of that city, dated the 29th of January last, from which Mr. Howard will see that the said proceedings are approaching a final decision.

I reiterate, &c.
(Signed) ANTONIO PAULINO LIMPO DE ABREO.

Inclosure 2 in No. 158.

The Ex-Municipal Judge of the City of Marianna to the President of the Province of Minas.

(Translation.)

Most Illustrious and Excellent Sir, *Ouro Preto, January* 29, 1854.

I HAVE received your Excellency's despatch in which you desire me to inform you what has occurred relative to the question of the freedom of the slaves of the late British subject John Craven, since the last information furnished by me whilst I was Municipal Judge of Marianna, dated the 28th October last. In reply I have to state to your Excellency that up to the 20th of December last, on which day I ceased to be Judge of that district, in order to occupy the situation of Fiscal Procurator of the Treasury of this Province, the suit was in the hands of the curator of said slaves, for his final rejoinder, when it would be sent up for final adjudication; and upon inquiry respecting its progress since that date, I learn that it will shortly be concluded. This is all that I can inform your Excellency, and can assure you that I have always been most desirous to terminate this affair quickly, and that the present substituting Judge is equally so, the delays inseparable from suits of this nature, and the occupations of the curator, being the causes of the delay; but your Excellency may depend upon it that everything will in a few days be settled, for I am well acquainted with the skill, activity, upright and just mind of the Acting Substitute in that district.

God preserve, &c.

(Signed) FRANCISCO GALDINO DA COSTA CABRAL,
Ex-Municipal Judge and of Orphans in Marianna.

No. 159.

Mr. Howard to the Earl of Clarendon.—(Received March 16.)

My Lord, *Rio de Janeiro, February* 11, 1854.

WITH reference to my despatch of the 13th ultimo, relative to certain vessels which were reported to have cleared out from Bahia for the coast of Africa, with the object of being employed in the Slave Trade, and in which I inclosed to your Lordship copies of correspondence which had passed between the Brazilian Minister for Foreign Affairs and myself on this subject, I have now the honour to transmit a translation of a further note which I have received from his Excellency, together with a translated Schedule of its inclosures, in which he informs me that the result of the inquiries in this matter seems to show that the report is unfounded, but that the Imperial Government had nevertheless ordered fresh investigations and inquiries to be set on foot with regard to such suspected vessels.

I have, &c.

(Signed) HENRY F. HOWARD.

Inclosure 1 in No. 159.

Senhor Limpo de Abreo to Mr. Howard.

(Translation.) *Rio de Janeiro, February* 4, 1854.

THE Undersigned, &c., received in due time the note which Mr. Henry F. Howard, &c., addressed to him under date of the 12th December last, communicating to the Undersigned that his Government had indirectly obtained information from the coast of Africa, that Portuguese and other vessels cleared out from Bahia half loaded with rum and tobacco, but carrying in the hold, below those goods, water-casks and other articles destined for the Slave Trade, and that vessels so laden had recently arrived in the Bight of Benin.

The Undersigned immediately instructed the President of the Province of Bahia to proceed to the necessary inquiries on the alleged circumstances, and the

result of these inquiries is contained in the despatch of which a copy is inclosed, addressed to the Undersigned by that President, and in the documents which accompany it, of which the Undersigned also begs leave to transmit copies to Mr. Howard.

Notwithstanding that the President of the Province of Bahia, in the presence of the reports made to him, was induced to suppose that the indicated occurrence was unfounded, the Government of His Majesty the Emperor determined, in reply, to order him to proceed to fresh investigations and inquiries, especially with respect to the Sardinian schooner "*Iride*," and Portuguese yacht "*Veloz*," and to recommend to him the most active vigilance with regard to vessels clearing for the coast of Africa.

The Undersigned, &c.

(Signed) ANTONIO PAULINO LIMPO DE ABREO.

Inclosure 2 in No. 159.

Schedule of Inclosures in Senhor Limpo de Abreo's Note to Mr. Howard of February 4, 1854.

Inclosure No. 1.—Copy of despatch from President of Bahia to the Brazilian Minister for Foreign Affairs, dated January 5, 1854, stating that he has reported to the Department of Justice the result of his inquiries respecting the alleged clearing out of Portuguese and other vessels from Bahia with effects destined for the Slave Trade, and that he has shown that the charge was unfounded.

Inclosure No. 2.—Copy of despatch from the Chief of Police of Bahia to the President of that Province, dated January 2, 1854, inclosing a list of vessels which had cleared out from Bahia for the coast of Africa, from July 1 to December 30, 1853, and stating that he had renewed his recommendation to the visiting officer of the port to exercise the utmost vigilance with regard to the cargoes of vessels bound to the coast of Africa.

Inclosure No. 3.—List of vessels which cleared out from Bahia for the coast of Africa from July 1 to December 30, 1853, viz.:

June 8. Dutch schooner, "*Gouverneur van der Eb*;" master, W. Haut cargo, rum; consigned to Lellaque and Co.

June 9. French polacca, "*Robuste*;" master, Amiana; cargo, rum and tobacco; to Decosterd, Frères.

June 20. French schooner, "*Louise Elénie*;" master, Miseraok; rum and tobacco; to Nathan and Co.

July 13. Sardinian smack, "*Fulmine*;" master, E. Torre; rum and tobacco; to G. Canena.

July 26. Portuguese barque, "*Lealdade*;" Joaquim Antonio Branco; sugar, rum, and piassava; to Araujo and Carvalho.

July 27. Austrian barque, "*Melinke*;" B. Florio; rum and tobacco; to Lang and Co.

August 17. Portuguese schooner, "*Dous Irmãos*;" Domingos da Costa Lage; tobacco and rum; to Domingos Gomes Bello.

August 20. Sardinian polacca, "*Porto Mauricio*;" Luppe; rum and tobacco; to Isaac Amislack.

August 28. French brig, "*Gabriel et Charles*;" Albert; rum; to Decosterd, Frères.

September 5. Sardinian polacca, "*Giuseppina*;" Groiso; rum and tobacco; to G. Canena.

September 13. Sardinian schooner, "*Iride*;" G. Amaldo; rum and tobacco; to Fratelli Sechino.

September 20. Portuguese schooner, "*Veloz*;" João Chrisostomo; tobacco and other goods; to João Rodrigues Germano.

October 12. Portuguese schooner, "*Emilia*;" Anto. Lemos Encarnação; various merchandize; to Estevão José Broxado.

October 14. British barque, "*Jenny Lind*;" Richard Brechon; rum and empty casks; to Wilson and Co.

October 23. Dutch galliot, "*Curaçoa*;" Wandok; rum; to Liciague and Co.

November 15. Austrian polacca, "*Roy*;" Tripocawich; rum and tobacco; to Isaac Amisalaach.

November 25. Portuguese brig, "*Intrepido*;" Anto. Ferreira das Dores; rum and tobacco; to Estevão José Machado.

December 5. Portuguese brig, "*Robim*;" José de Almeida Baptista; general cargo; to Araujo e Carvalho.

December 6. Sardinian schooner, "*Adige*;" Prospero Amellino; rum and tobacco; to G. Canena.

Inclosure No. 4.—Copy of despatch from the Inspector of the Treasury of Bahia to the President of the province, dated January 5, 1854, inclosing copies of two reports from the Chiefs of the Inward and Outward Custom-houses, and of the manifests of twenty-nine vessels which sailed from Bahia for the coast of Africa during the preceding year, and stating that the barque "*Jenny Lind*" was the only vessel which took a large number of water-casks, for which the consignee gave proper security.

Inclosure No. 5.—Copy of despatch from the Administrator of the Outward Custom-house to the Inspector of the Treasury of Bahia, dated December 29, 1853, stating that twenty-nine had sailed for the coast of Africa during the year 1853, and inclosing a list of these vessels, and the copies of their manifests, thereby showing that no irregularity took place in their clearance, and stating that if, besides the barque "*Jenny Lind*," which took 470 empty casks, for the value of which security was given, any other vessels reached the coast of Africa or the Bight of Benin, with their holds full of water-casks and other articles destined for the Slave Trade, they either did not ship them at Bahia, or else they did so clandestinely, in which case it did not belong to that Board to prevent so scandalous an occurrence, but to the custom-house guard boats to do so.

Inclosure No. 6.—Copy of despatch from the Inspector of the Inward Custom-house of Bahia to the Inspector of the Treasury of that province, dated January 2, 1854, stating that since the laws had prohibited Slave Trade, his department had taken every measure in its power to prevent it, and that therefore it was probable that the water-casks and Slave Trade articles referred to had not been shipped at Bahia, if it were not those taken by the English barque "*Jenny Lind*," which were no doubt intended for sale to slave-traders in some port on the coast of Africa, there being, however, no want of casks there, from the great number shipped from Bahia, as well as all parts of the world, with rum.

Inclosure No. 7.—List of vessels which sailed for the coast of Africa during the year 1853; containing, besides those in the preceding list, the following:

Portuguese schooner, "*Dous Irmãos*" (first voyage).

Portuguese pilot-boat, "*Aguia*;" coast of Africa; owner, Mel. Durans Lopes Vianna; consignee, the owner.

Portuguese brig, "*Xae Alan*;" Angola; Mussage Vallage; F. Leciague and Co.

Portuguese barque, "*Linda Flor*;" João Bernardino Nunes; Anto. Mora. de Paiva.

Sardinian polacca, "*Voltatrice*;" coast of Africa; M. E. Piaggio; Fratelli Sechino.

Sardinian barque, "*Bella Limegna*;" coast of Africa; J. C. Salvi and Co.; J. C. Salvi.

Sardinian polacca, "*Giuseppine*;" coast of Africa; Giuseppe Carrena; the owner.

Sardinian schooner, "*Iride*;" coast of Africa; Solam José; Fratelli Sechino.

Sardinian schooner, "*Adige*;" coast of Africa; Lourenço Raggio and Co.; Giuseppe Carrena.

French brig, "*Gabriel et Charles*;" coast of Africa; Reget Ainé; Geo. Decosterd, Frères.

N.B.—In this second list the date of departure, the names of the masters, and the nature of the cargo, are omitted. The same vessels are in some cases mentioned twice, having probably made two voyages.

No. 160.

Mr. Howard to the Earl of Clarendon.—(*Received March* 16.)

My Lord, *Rio de Janeiro, February* 11, 1854.

IN my despatch of the 13th ultimo to your Lordship I had the honour of transmitting the copy of a note which I addressed on that day to the Brazilian Minister for Foreign Affairs, Senhor Limpo de Abreo, commenting upon an Imperial Decree of December last, likewise inclosed in that despatch relative to the emancipation of that class of so-called liberated Africans who shall have served private individuals during fourteen years.

I have now the honour of inclosing the translation of a note of the 3rd instant, which I have received from Senhor de Abreo in reply, explaining the provisions of that Decree and the intentions of the Brazilian Government concerning it.

I shall not fail to keep my attention directed to the subject, and when I shall have collected the materials I will reply to his Excellency's note.

I have, &c.

(Signed) HENRY F. HOWARD.

Inclosure in No. 160.

Senhor Limpo de Abreo to Mr. Howard.

(Translation.) *Rio de Janeiro, February* 3, 1854.

I HAVE the honour to acknowledge the receipt of the note dated the 13th ultimo, in which Mr. Howard, &c., makes some observations on the subject of of the Decree No. 1,303, of the 28th of December of last year, relative to the emancipation of free Africans.

In the said note Mr. Howard, at the same time that he expressed great satisfaction at the measure taken in the Decree in question, cannot however conceal the painful impression produced on his mind by the fact of the Imperial Government having prolonged the term of service to such an extent as fourteen years, before these Africans may obtain their liberty, the right to which has so long belonged to them.

Mr. Howard therefore earnestly requests the Government of His Imperial Majesty to extend to all free Africans, without any restriction as to the duration of their services, the benefits of emancipation.

Mr. Howard also considers as indefensible the clause contained in the said Decree which requires the Africans to petition for their emancipation in order that it may be declared, from the fear that some masters will attempt to keep from them the knowledge of their free condition, and that the Africans will not know what steps to take for demanding their liberty. It is consequently desirable, in Mr. Howard's opinion, that the Imperial Government should dispense with the formality of the petition, and should cause their emancipation to be announced to the Africans.

Attaching that consideration and weight which are due to Mr. Howard's observations on the two clauses of the above-mentioned Decree, viz.: 1st, as to the term of emancipation; and 2ndly, as to the formality of the petition, I will proceed to explain the intentions of the Imperial Government and reply to those observations.

In the first place I will beg leave to observe, that in the note to which I reply, the necessary distinction is not made between liberty and emancipation,

and it appears to be on this confusion and misunderstanding that are based the observations of the said note, as regards the term which Mr. Howard holds to be too long.

According to the legislation of the Empire the liberty of Africans is recognized and declared by a judicial sentence, and the necessary certificate thereof is conferred upon them as soon as it is proved that they have been imported subsequently to the Law of 7th November, 1831; whereas emancipation is nothing more than exemption from the administration which the instructions of the 29th October, 1834, and 19th November, 1835, established in their favour. These Africans are thus placed on a footing with minors, who, although they are under tutelage, cannot be said to be slaves, and although they do not enjoy entire liberty have no less right to it.

The above-mentioned instruction, in ordering the services of the Africans to be farmed solely to persons of recognized probity and honour, and imposing on the latter the duty of clothing and taking care of them, and the responsibility for any abuse of which such persons might be guilty, had in view the double object of aiding, by means of their wages, the re-exportation of the Africans, and of keeping them in the mean time under a tutelar administration which might support and direct them in their state of ignorance.

Those instructions not having however fixed the term of farming, and invincible difficulties having meanwhile prevented the re-exportation, it became the duty of the Imperial Government to attend to the destination of these Africans, who being free, as they are recognized by the legislation of the Empire, might not remain indefinitely under the tutelage of the farmers, being moreover capable of governing and maintaining themselves.

The Imperial Government therefore, and in order that the term should not be arbitrary, fixed the term of fourteen years, which was that which had already been established in Section 5 of the Alvará of the 26th of January, 1815, for Africans declared free by the Mixed Brazilian and British Commission created under the Convention of the 28th July, 1817, additional to the Treaty of the 22nd January, 1815, which Africans were also employed or contracted for as free servants or labourers.

I must add that the Imperial Decree refers solely to Africans imported previously to the Law of the 4th September, 1850; for since the date of that law, and in virtue of the prohibition contained in it, the services of imported Africans were no longer farmed to private individuals. It is moreover certain that the term has now either expired or is about to expire, for a large portion of the Africans imported previously to the above-mentioned Law.

As regards the Petition Clause, it is based on considerations of public order, which cannot fail to have weight on Mr. Howard's mind. As a large number of Africans have served the term, and others will within a short time and simultaneously have done so, it would be inconvenient, if not injurious to the country where so many slaves exist, that this emancipation should take place *ipso facto*, in a body, tumultuously, and without any formality.

Lastly, it must be observed that the Africans have a curator, who is an authority charged with petitioning for them, representing them judicially, and promoting and defending their rights and interests; this circumstance ought, to a certain extent, to destroy the fears manifested by Mr. Howard, that their administrators should conceal from them the knowledge of their free condition.

I can assure Mr. Howard that the Government of His Imperial Majesty, with the object of favouring and protecting these unfortunate persons, is disposed not to consent to the provisions of the Decree in question being eluded in consequence of such a clause.

I avail, &c.

(Signed) ANTONIO PAULINO LIMPO DE ABREO.

No. 161.

Mr. Howard to the Earl of Clarendon.—(Received March 16.)

My Lord, *Rio de Janeiro, February 11, 1854.*

I HAVE the honour to inclose herewith translations of two notes addressed to me on the 1st and 7th instant, by the Brazilian Minister for Foreign Affairs, Senhor Limpo de Abreo, communicating to me the information which he had received on the subject of an intended disembarkation of Africans on the coast of the province of Rio de Janeiro, and the measures taken by the Brazilian Government to prevent it, or to punish its authors if it should take place.

Your Lordship will perceive that although the Brazilian Government in the first instance were inclined to think the information given to them not to be well founded, yet subsequent intelligence induced them to alter their opinion, and they immediately decided upon the very efficient measure of sending the Chief of the Police of the province on board of a Brazilian war steamer, the "Recife," with a part of his force to cruize off the coast, visit the ports within a certain distance, and make arrangements with the local authorities in order to prevent the expected, or any other, disembarkation.

What adds greater value to this measure is that the Chief of the Police in question is accompanied on his mission by a gentleman who has rendered considerable service in the cause of the suppression of the Slave Trade, and who is better calculated than almost any one to hunt out the traces of slave-trading and dealing.

I have also the honour of inclosing copies of my replies of the 3rd and 10th instant, to Senhor de Abreo, thanking him for his communications and the measures adopted by the Government.

I communicated to Admiral Henderson Senhor de Abreo's above-mentioned notes to me, and I suggested the expediency of one of Her Majesty's ships being sent to cruize off that part of the coast where it is expected that the landing is to take place. I likewise pointed out other parts of the coast which, from the information I had received from another source, I thought it was desirable should be watched.

I have this day received a despatch from Admiral Henderson in reply, announcing to me that Her Majesty's steam-sloop "Stromboli" would put to sea to-day, and proceed to cruize off the part of the coast in question, and that he had taken measures in respect to the watching of the further points I had indicated.

I have, &c.
(Signed) HENRY F. HOWARD.

Inclosure 1 in No. 161.

Senhor Limpo de Abreo to Mr. Howard.

(Translation.) *Rio de Janeiro, February 1, 1854.*

THE Undersigned, &c., has the honour to transmit to Mr. H. F. Howard, &c., the accompanying copies of two documents. The first is a despatch addressed on the 30th ultimo by the Chief of Police of the capital to the Minister of Justice, acquainting him that he had that moment been informed of an intended attempt to land a cargo of Africans on the coast of Rio de Janeiro, and that, notwithstanding that the person who gave him the information did not specify the point where the landing was to take place, and that the information was consequently very vague, he had thought it to be his duty to bring it to the knowledge of the Minister in order that he might take it into the consideration he thought proper. The second is a despatch addressed by the Minister of Justice to the Undersigned of yesterday's date, stating to him that in consequence of the report of the Chief of Police, he had not only applied to the Minister of Marine to send two more steam-vessels to cruize on the southern and northern coast of the province of Rio de Janeiro, but had also ordered the President of the province to recommend to the local authorities the utmost

vigilance and activity, with a view to prevent the disembarkation, or follow up the delinquents wherever they may go, in case the disembarkation should take place.

Mr. Howard will easily perceive that the information given to the Chief of Police is destitute of certain conditions which would be requisite, not only for rendering it more credible, but also in order that the measures adopted by the Imperial Government should with more certainty attain their object, that of preventing a disembarkation or an attempt at one.

Notwithstanding this the Government of His Majesty the Emperor will not spare any sacrifice to put down the slave-traders and frustrate their plans, and will continue to direct its policy and all the means at its disposal in this sense.

The Undersigned, &c.

(Signed) ANTONIO PAULINO LIMPO DE ABREO.

Inclosure 2 in No. 161.

The Chief of Police to the Minister of Justice.

(Translation.)

Sir, *Police Office of the Capital, January* 30, 1854.

I HAVE this moment been informed that an attempt at disembarkation of slaves on the coast of the province of Rio de Janeiro is intended. Although the person who gives me this information cannot specify the point where the disembarkation is to take place, and his statement is consequently extremely vague, I have considered it to be my duty to acquaint your Excellency with it in order that you may give it the consideration you think proper.

(Signed) ALEXANDRE JOAQM. DE SIQUEIRA.

Inclosure 3 in No. 161.

The Minister of Justice to Senhor Limpo de Abreo.

(Translation.)

Sir, *Rio de Janeiro, January* 31, 1854.

IN transmitting to your Excellency the inclosed copy of a despatch which the Chief of Police of the capital addressed to me yesterday relative to an intended landing of Africans on the coast of the province of Rio de Janeiro, I have the honour to inform your Excellency that I have not only applied to the Minister of Marine to send two additional steam-vessels to cruize to the south and north of the province; but I have also ordered the President of the province to recommend to the local authorities the utmost vigilance and activity to prevent the disembarkation, or to follow up the delinquents wherever they may go, in the event of the said disembarkation taking place.

(Signed) JOSE THOMAS NABUCO D'ARAUJO.

Inclosure 4 in No. 161.

Senhor Limpo de Abreo to Mr. Howard.

(Translation.) *Rio de Janeiro, February* 7, 1854.

IN my note of the 1st instant I had the honour to communicate to Mr. Henry F. Howard that the Judge Chief of the Police of this capital had reported officially to the Minister of Justice on the 30th ultimo that an attempt would be made to disembark Africans on the coasts of the province of Rio de Janeiro, although no precise spot was named upon which that disembarkation was to be effected; and at the same time I acquainted Mr. Howard with the measures which the Imperial Government had adopted towards preventing their disembarkation, as well as for the apprehension of the Africans, and punishment of the slave-dealers in case the landing should take place.

In adverting to this communication I have now to say to Mr. Howard that the Chief of Police has again reported to the Minister of Justice, under date of the 5th instant, that he has been informed that some planters of the highlands had invited others of the municipalities of S. João do Principe and Pirahy to be prepared to purchase a lot of Africans, who, according to their statements, are to come from the eastern coast in a vessel which is to arrive in the province of Rio de Janeiro, and particularly to steer for that part which lies between Guaratiba and Angra dos Reis, and that the said vessel is expected in the course of the present month or of the next.

In consequence of this communication from the Chief of Police of the capital, the Government of His Imperial Majesty have considered it to be their duty to adopt, besides others, the measures reported in the despatch of the Minister of Justice, whereof the inclosed is a copy, and will continue with perseverance and energy to employ the whole of the means at their disposal to repress the nefarious Slave Trade which so much dishonours civilization and humanity.

I avail, &c.

(Signed) ANTONIO PAULINO LIMPO DE ABREO.

Inclosure 5 in No. 161.

The Minister of Justice to Senhor Limpo de Abreo.

(Translation.)

Most Illustrious and Excellent Sir, *Rio de Janeiro, February* 5, 1854.

I TRANSMIT to your Excellency the inclosed copy of an official report from the Chief of Police of this capital dated the 5th instant, in addition to the other of the 30th ultimo, wherein the said Chief of Police adds to the information already given, that some planters of the highlands had invited others to be prepared to buy a lot of Africans who were expected from the east coast, and who would shortly arrive in one of the ports of the province of Rio de Janeiro between Guaratiba and Angra dos Reis.

I consequently solicited the Minister of Marine to take fresh measures in order to prevent the projected disembarkation, suggesting the necessity of sending the steamer "Recife" to cruize upon the southern coast of the province of Rio de Janeiro, with the Chief of the Police of the said province and a part of his force on board, for the purpose of visiting the intermediate ports as far as St. Sebastian, and of making arrangements with the local authorities for the adoption of final measures for preventing this and any future disembarkation.

In the same sense I have written officially to the President of Rio de Janeiro, the details whereof your Excellency will become better acquainted with from the inclosed copies of reports and despatches.

God preserve, &c.

(Signed) JOSE THOMAS NABUCO D'ARAUJO.

Inclosure 6 in No. 161.

Mr. Howard to Senhor Limpo de Abreo.

Sir, *Rio de Janeiro, February* 3, 1854.

I HAVE the honour to acknowledge the receipt of your Excellency's note of the 1st instant, inclosing to me copies of a despatch addressed on the 30th ultimo by the Chief of Police of the capital to the Minister of Justice, reporting the information he had received respecting an intended attempt to land a cargo of Africans on the coast of Rio de Janeiro, as well as of a despatch from that Minister to your Excellency on the same subject; and I beg to convey my thanks for this communication, and to express the gratification with which I

have learnt the measures adopted by the Imperial Government in order to prevent any such disembarkation of negroes, or to punish its authors, should it be effected.

I avail, &c.
(Signed) HENRY F. HOWARD.

Inclosure 7 in No. 161.

Mr. Howard to Senhor Limpo de Abreo.

Sir, *Rio de Janeiro, February* 10, 1854.

I HASTEN to acknowledge the receipt of your Excellency's further note of the 7th instant, on the subject of an intended attempt to land Africans on the coasts of the province of Rio de Janeiro, and to thank you for its interesting contents.

I have learnt, with peculiar satisfaction, the dispatch of the Imperial steamer "Recife" to the southern coast of the province, with the Chief of the Police of the same province and a part of his force on board, for the purposes indicated by the Minister of Justice in his despatch of the 5th instant to your Excellency, as I consider that no measures could be more adapted to prove to the slave-dealers and traders in those parts the serious and persevering determination of the Imperial Government to put down the Slave Trade.

I avail, &c.
(Signed) HENRY F. HOWARD.

No. 162.

Mr. Howard to the Earl of Clarendon.—(Received March 16.)

My Lord, *Rio de Janeiro, February* 11, 1854.

I HAVE the honour of transmitting the translation of a confidential note addressed to me on the 31st ultimo by the Brazilian Minister for Foreign Affairs, Senhor Limpo de Abreo, inclosing to me an extract, of which a translation is thereto annexed, of some letters written from Loanda to this capital by a slave-trader, and which were brought by the well-known agent of the slave-dealers, Manoel Domingos Dias Pereira, who was arrested on his arrival here, and is to be sent out of the country.

This extract, though somewhat confused, nevertheless conveys an idea of the movements and projects of the slave-traders, and is of the more value on account of the names mentioned in it, with regard to which I beg to forward a memorandum which I have received from a different source.

Senhor de Abreo, in his note, comments upon the plans of the slave-traders which are thus disclosed; declares that the Brazilian Government have consequently redoubled their vigilance and efforts with a view to frustrate those plans; and with reference to the circumstance that two Brazilian subjects residing in this city are shown, in the above-named extract, to be involved in the Slave Trade to the Havana, without the Government having at present the legal power to prosecute them for that act, refers to the intention of the Government to urge the adoption, by the Chamber of Deputes, on the meeting of the Legislature, of the project of law presented last session by the President of the Council to the Senate and approved of by that body, the first Article of which extends the competency of the Auditors of Marine, whilst the second determines that Brazilian subjects, wherever they may reside, and foreigners residing in Brazil, who may be owners, masters, mates, boatswains, or be interested in the business of any vessel engaged in the Slave Trade, are to be punished with the penalties decreed for the attempted importation of slaves.

Senhor de Abreo, at the close of his note, expresses an opinion to which, according to the promise I have given him, I beg to call your Lordship's attention; namely, that it would be advisable, with a view to the extinction of the Slave Trade, that the Governments of those countries where notorious slave-

dealers reside, and from whose ports vessels have sailed for the purpose of introducing slaves from the coast of Africa in the Havana and other places, should adopt in their legislation, enactments similar to those above referred to, and of which a copy was transmitted to your Lordship in Mr. Jerningham's despatch of the 1st of October last.

Senhor de Abreo, when I saw him on the 8th instant, inquired of me whether I thought your Lordship would be disposed to recommend to the Government of Portugal the adoption of such legislative measures, and whether I thought it would be advisable that he should place himself in communication with that Government for the same purpose.

I replied that your Lordship had already signified your approval of the Brazilian project of Law in question, and that I did not doubt but that you would readily make to the Portuguese Government the recommendation he had suggested. I likewise strongly encouraged him to address a similar one himself to the same Government.

I beg, further, to inclose a copy of the note which I wrote to Senhor de Abreo in reply to his of the 31st ultimo.

I have, &c.
(Signed) HENRY F. HOWARD.

Inclosure 1 in No. 162.

Senhor Limpo de Abreo to Mr. Howard.

(Translation.) *Rio de Janeiro, January* 31, 1854.

I HAVE the honour to acquaint Mr. Henry F. Howard, &c., that a person interested in the repression of the Slave Trade having perused some letters lately written from Loanda to this capital, was enabled to make an extract from them, which he sent to the Imperial Government, thinking, and with reason, that he was rendering them an important service.

The extract to which I allude is that whereof the inclosed is a copy, and as it contains circumstantial information and news relative to the abominable Slave Trade, so justly condemned by all Christian Governments, I beg leave to transmit it to Mr. Howard, who cannot but appreciate it.

From the statements contained in the letters it is clearly to be seen that the slave-dealers are efficaciously striving to accomplish a new, stronger, and more regular organization for undertaking their criminal speculations with greater security and success.

It appears that their speculations are, for the present, limited to the Havana; but besides this not being certain, the Imperial Government is aware that the slave-dealers may easily, from one moment to another, change their plan, and in watching a favourable opportunity select the vast sea-coast of Brazil for effecting a disembarkation thereon. This conviction on the part of the Imperial Government and the apprehensions which it must inspire them with, has obliged them to redouble their vigilance and efforts in order to frustrate any attempt that the slave-dealers may purpose making.

Mr. Howard will also observe that mention is made, in the extract from the letters, of two Brazilians residing in this city being involved in the Slave Trade to Havana. The Imperial Government must state that they would not hesitate in immediately causing judicial proceedings to be instituted against those individuals, if the legislation of the country would countenance them. This however not being the admitted opinion, the Imperial Government will await the next meeting of the General Assembly to request the approval, by the Chamber of Deputies, of the project of law which during the last days of the session of last year was presented by the present President of the Council of Ministers, and was approved by the Senate, the 1st Article whereof gives a greater extension to the competency of the Marine Auditors, and which, in the IInd Article, determines that Brazilian citizens, wherever they may reside, and foreigners residing in Brazil who may be owners, captains, masters, mates, boatswains, or be interested in the business of any vessel engaged in the Slave Trade, are to be punished with penalties decreed for the attempted importation of slaves, and that they are to be tried and judged by the said Auditors.

The Imperial Government continue to attach the utmost importance to this measure, being persuaded that it may perhaps force the slave-dealers living in Brazil to desist from the trade which they carry on to the Havana, and to abandon their connections and give some other destination to the funds which they may still possess on the coast of Africa.

If this should come to pass, the slave-dealers who reside in Brazil, deprived of the means which they now have at their disposal upon the coast of Africa, will not be able, if they should afterwards feel that way inclined, to prepare themselves for fresh speculations without great sacrifices, and without having great foresight, and thus any attempt to import slaves into the territory of the Empire would become very difficult, if not quite impossible.

In making this communication to Mr. Howard, I beg leave to tell him what it appears to me would be advisable, with a view to the extinction of the Slave Trade; which is, that the Governments of those countries where it is known that some notorious slave-dealers reside, and from whose ports vessels have sailed for the purpose of introducing slaves from the coast of Africa into Havana and other places, should adopt in their legislation a measure analogous to that which was presented by the present President of the Council of the Brazilian Ministers, for the severe punishment of those who may in any manner involve themselves in such a Trade.

I reiterate, &c.

(Signed) ANTONIO PAULINO LIMPO DE ABREO.

Inclosure 2 in No. 162.

Extract from a Letter written in Loanda upon Slave Trade Affairs.

(Translation.)

A PERSON who enjoys my confidence must be now in Havana organizing with Tocca, Dr. Salvador, and others, divers affairs to acquire a certain regularity at (their request), and on this occasion to carry out all my former orders, if they should not have been complied with on his arrival; consequently I shall in a very short time tell you whether you or I have been the cause of all these mishaps. As I tell you, these affairs will soon be organized in such a manner that vessels shall not be coasting these shores at hap-hazard, as was the case a short time since with one, in which I am told Rodrigo was interested, and which, consequently, excites the activity of the English. Since the "*Silenus*" I have sent off two more, one belonging to Dr. Salvador de Castro and Tocca, and the other belonging to a new house at Havana. From Europe I have no late news, and, therefore, cannot give you any fresh accounts. As the agent of Luis Mendes goes in this vessel, he can better inform you of the result of the affairs of this place. A vessel is daily expected from America with goods for Louis Vianna and Cunha Reis. Botelho left Loango with a cargo on account of a Spanish factory established there. A vessel also left Benguella a few days ago, but I do not yet know to whom she belongs. I continue to be in the same embarrassed state, as I have already told you, and to whom I am indebted for it. I am well informed respecting the affair of Thomas's two vessels of which you spoke to me, and am therefore able to tell you that the circumstances which occurred to disorganize or change the direction of that affair were very different from those which you imagine. I note what you say to me concerning the delay of the remittances of funds from Havana to our friends Joaquim da Fonseca Guimarães and Company, the want whereof has prevented the realizing of a shipment from England for my account direct to Ambriz. In order to hasten the remittance of funds at once from Havana, I have said all that is necessary, and by this opportunity I inform the said Joaquim da Fonseca of all those other steps that I have taken for the purpose of hastening the prompt settlement of that business; I much suspect that the absence of remittances by Tocca may arise from some imprudence on his part, which I intend shortly to ascertain. Rodrigo, who you tell me was going to retire from Havana, is, I understand, in New York, not much inclined to return to Havana in consequence of being involved in affairs to this coast with persons of that place. I duly note your project of sending Sumar from Porto, and I shall be very glad, if you should

carry your intention into execution, to learn that your wishes are fulfilled. I also note Dr. Francisco's having retired, and have already received letters from him from Lisbon. Pereira concluded his business with the last shipment he made and goes to your city in this vessel. He left the utensils of the factory in Ambriz under my care, and some rum, and four bales of lawful goods in this place, as you will see from the inventory signed by me, and which he will present to you. In spite of all my endeavours I have never been able to obtain from him the delivery of the two thousand and fifty pieces of lawful goods. Not one of the vessels, which you inform me Luis Vianna has bought, have arrived, but I understand that he had chartered or bought one to bring goods of his and of Cunha Reis from Ambriz. I have received your esteemed favours of the 6th of July and 13th of August of the present year. I do not reply to their contents, as they both speak of matters concerning your factory, and our friend Manoel Domingos Dias Pereira, who was in charge of the same, goes to your city by this opportunity; he will verbally tell you everything that relates to your affairs. To add to my bad luck, I have not yet received any accounts of the hundred elephant's teeth that I shipped to Havana, so that I begin to apprehend that it is a losing concern. Everybody has of late been very fortunate in this business, even yourself; I alone am unfortunate, because I have not even been informed of the arrival of my shipments, and the only information I have received of them is because you have had the kindness to send it to me.

Inclosure 3 in No. 162.

Memorandum.

THE writer of this memorandum believes the letters, of which extracts are inclosed in M. Limpo de Abreo's note of 31st January, 1854, to have been written by a man named Guilherme, who is established on the Rio Zaire, Congo. He was formerly at the head of a factory belonging to José Bernardino de Sá, and has latterly been established on his own account.

Rodrigo José de Abreo, mentioned in the extract, is a Brazilian Lieutenant of Marine Artillery, retired, and on leave of absence. He was for some time in Havana, acting as the agent of slave-traders in Rio de Janeiro, principally of Joaquim Fonseca Guimarães and Luiz Mendes Ribeiro.

Antonio Augusto Botelho was formerly at Rio de Janeiro, and has lately been sailing between the coast of Africa and Havana, and has landed several cargoes of slaves. In the speculation referred to, he is in partnership with Manoel Joaquim Teixeira, who was deported from Brazil, and is now in Benguella, and with Bastos, a well-known slave-trader, formerly of the house of Amaral e Bastos, and now residing in Oporto.

Francisco dos Santos Tavares, agent of the house of Pinto da Fonseca. He left Oporto with the two vessels which lately sailed for the coast of Africa, belonging to Ramos, Coimbra, and Riveroza.

Cunha Reis has been for some time on the coast of Africa, first as an agent, and latterly on his own account.

Luiz Vianna, under the same circumstances as Cunha Reis. Both have been residing latterly at Loanda and Ambriz.

José Maria Sumar, a notorious slave-captain. He was a short time since in Oporto.

Inclosure 4 in No. 162.

Mr. Howard to Senhor Limpo de Abreo.

Sir, *Rio de Janeiro, February* 3, 1854.

I HAVE had the honour of receiving the note addressed to me by your Excellency, under date of the 31st ultimo, inclosing to me the copy of an extract, of which the Imperial Government has been placed in possession, from letters lately written from Loanda to this capital on Slave Trade matters,

and commenting upon the plans and machinations of the slave-traders in Brazil as well as in other countries.

I beg to return to your Excellency my best thanks for this interesting communication, and I shall always be greatly obliged to you for any information which may enable my own Government to trace and unmask the proceedings of the slave-traders in the countries which appear to be the principal seats of their operations, with a view to bring about a common action on the part of the Governments of those countries against their nefarious acts.

I have learnt with regret from your Excellency's note that the Imperial Government do not consider themselves legally empowered to institute judicial proceedings against the Brazilians referred to in the above mentioned document, but I have been gratified to perceive that it is their intention to urge the adoption by the Chamber of Deputies, on the meeting of the Legislature, of the project of Law for the more effectual suppression of the Slave Trade, presented by the present President of the Council of Ministers to the Senate, and approved by that body, and I will not fail to call the attention of Her Majesty's Principal Secretary of State for Foreign Affairs to the opinion expressed by your Excellency concerning the expediency of the adoption of similar legislative enactments by the Governments of those countries where notorious slave-dealers reside, and from whose ports vessels have sailed for the purpose of introducing slaves from the coast of Africa into the Havana and other places.

I avail, &c.

(Signed) HENRY F. HOWARD.

No. 163.

Mr. Howard to the Earl of Clarendon.—(Received March 16.)

My Lord, *Rio de Janeiro, February* 12, 1854.

HAVING received some information relative to the departure from the Douro of two Portuguese vessels, the "*Guerra*" and "*Trajano*," under strong suspicions of being intended for the Slave Trade, I called the attention of the Brazilian Minister for Foreign Affairs, Senhor Limpo de Abreo, to the circumstances under which it had taken place, in the note of the 21st ultimo of which I have the honour to inclose a copy; and his Excellency has replied to me in the two notes of the 23rd ultimo and 11th instant, copies and translations of which are likewise annexed, containing the more detailed accounts which have reached the Brazilian Government on the subject, and stating the measures adopted by them in consequence.

These measures, as well as the arrest and contemplated banishment of the slave-trading agent, Dias Pereira, who arrived lately in this capital from Loanda, and to whom I referred in my above-mentioned note, furnish a satisfactory proof of the laudable exertions which the Brazilian Government are now making with a view to the suppression of the Slave Trade.

I beg further to transmit herewith a copy of my reply of the 27th ultimo to Senhor de Abreo's note of the 23rd, thanking him for his interesting communication.

I have, &c.

(Signed) HENRY F. HOWARD.

Inclosure 1 in No. 163.

Mr. Howard to Senhor Limpo de Abreo.

Sir, *Rio de Janeiro, January* 21, 1854.

I HAVE the honour to acquaint your Excellency that I have received intelligence from Lisbon to the effect that two Portuguese vessels, the "*Guerra*" and the "*Trajano*," left the Douro some two months ago for the coast of Africa, under strong suspicions of being intended for the Slave Trade.

These vessels appear to be the property of three notorious slave-traders,

Thomas da Costa Ramos, Riveroza, and Coimbra, who are members of the Slave Trade Association formed in Lisbon, and which is known to have affiliations in this country; and it may be presumed that if the opportunity should present itself, an attempt may be made to land slaves from them on the coast of Brazil.

This presumption would appear to acquire confirmation from the fact of a well-known slave-trading agent having lately arrived in this capital from Loanda on board the Portuguese vessel "Lice."

I have, therefore, thought it right to signal these circumstances to the vigilance of your Excellency, in case your attention should not already have been drawn to them, in order that the Imperial Government may take the measures which they may consider the most efficacious to prevent any landing of slaves on the territory of the Empire, and to frustrate the designs of the slave-traders, who are indefatigable in the prosecution of their nefarious Traffic.

I avail, &c.

(Signed) HENRY F. HOWARD.

Inclosure 2 in No. 163.

Senhor Limpo de Abreo to Mr. Howard.

(Translation.) *Rio de Janeiro, January* 23, 1854.

THE Undersigned, &c., has the honour to acknowledge the receipt of the note which, under date of the 21st instant, was addressed to him by Mr. Henry F. Howard, &c., acquainting the Undersigned that he had received intelligence from Lisbon to the effect that two Portuguese vessels, the "*Guerra*" and the "*Trajano*," had left the Douro about two months ago for the coast of Africa, under strong suspicions of being intended for the Slave Trade.

Mr. Howard adds that these two vessels appear to be the property of three notorious slave-traders, Thomas da Costa Ramos, Riveroza, and Coimbra, who are members of the Slave Trade Association formed in Lisbon, and which is known to have affiliations in this country; and it may be presumed that if the opportunity should present itself an attempt may be made to land slaves from them on the coast of Brazil.

That this presumption would appear to acquire confirmation from the fact of a well-known slave-trading agent having lately arrived in this capital from Loanda, on board the Portuguese vessel "Lice."

That, induced by these reasons, Mr. Howard has thought it right to signal these circumstances to the vigilance of the Undersigned, in case his attention should not already have been drawn to them, in order that the Imperial Government may take the measures which they may consider the most efficacious to prevent any landing of slaves on the territory of the Empire, and to frustrate the designs of the slave-traders, who are indefatigable in the prosecution of their nefarious Traffic.

The Undersigned, in thanking Mr. Howard for his communication, has the honour to acquaint him in reply that the intelligence contained in Mr. Howard's note was in due time transmitted to the Imperial Government.

Before that the Imperial Government knew, from information sent from Lisbon on the 14th of last December, that Riveroza had been in that city, and that he had left it about three months previous to that date for Teneriffe, for the purpose of meeting there with a person whose name is not known, but who it was known had been his clerk in this city.

It said that Riveroza was again in Lisbon on the 14th of December last, and that he was establishing a house there. It is said that he had sent three vessels with negroes to Havana; one of which had arrived safe with 400 negroes, and that another which had struck on some shoals on the coast had only landed about 200, an equal number and seven of the vessel's crew having perished; of the third no accounts had been received.

The same accounts state further that Thomas da Costa Ramos intended to send a vessel to the coast of Africa for slaves to be disembarked at Havana, and that the captain, who was to take charge of the vessel in Porto, had already left Lisbon in the steamer "Duque do Porto."

In consequence of this intelligence, and of other information which has

come to the knowledge of the Imperial Government, the circular, whereof a copy is inclosed, has been sent from this department to the Presidents of the maritime provinces, and the Ministers of Justice and Marine have taken all the measures that appear to be sufficient for frustrating any attempt to land Africans on the territory of the Empire, or for the capture of the slaves, and the punishment of the authors and accomplices of the outrage, if unhappily the disembarkation cannot be prevented, which, however, is not to be supposed.

The well-known agent of the slave-dealers, Manoel Domingues Dias Pereira, who came from Loanda in the Portuguese vessel "Lice," was immediately arrested on his arrival in this capital, and the Imperial Government have resolved to banish him from the territory of the Empire.

The Undersigned takes pleasure in believing that Mr. Howard will discover, from the proceeding exposition, irrefragable proofs of the vigilance and energy with which the Imperial Government endeavour efficaciously to repress the abominable Slave Trade, and in assuring Mr. Howard of the disposition which the said Government feel to comply perseveringly and firmly with the obligation which they contracted, he avails himself, &c.

(Signed) ANTONIO PAULINO LIMPO DE ABREO.

Inclosure 3 in No. 163.

Circular.

(Translation.)

Most Illustrious and Excellent Sir, *Rio de Janeiro, January* 19, 1854.

IT having been published in some of the newspapers in Portugal, late in December last, that two brigs named the "*Guerra*" and the "*Trajano,*" destined to the Slave Trade, had been fitted out in Oporto, it is necessary that your Excellency should be informed thereof and that you should issue orders in this sense to the authorities on the seaboard of your province, desiring them, in case of both or either of those vessels daring to touch at any part of the coast, to seize them and the negroes they may bring, and to imprison the captain, mate, and the whole of the crew, in conformity with the laws.

I reiterate, &c.

(Signed) ANTONIO PAULINO LIMPO DE ABREO.

Inclosure 4 in No. 163.

Senhor Limpo de Abreo to Mr. Howard.

(Translation.) *Rio de Janeiro, February* 11, 1854.

THE Undersigned, &c., has the honour to acquaint Mr. Henry F. Howard, &c., that he has been enabled to obtain some further information respecting the schooners "*Guerra*" and "*Trajano,*" which are said to have left the Douro for the coast of Africa for the purpose of being employed in the Slave Trade.

The first named of these vessels cleared out of the Oporto custom-house on the 2nd of November, for Santos, viâ Vianna, under the command of Sebastião José da Cunha Carmo, and the latter cleared out on the 7th of December, for Rio Grande, under the command of Antonio Pereira da Conceição, and are both belonging to the Portuguese subject, Bernardo José Machado, a merchant of that city. They sailed with incomplete cargoes, as is seen from the inclosed lists, and without clearances from the Brazilian Vice-Consul in Oporto, which they ought to have procured, being bound to ports in the Empire. This information enables the Imperial Government to take the most commensurate measures in the event of those vessels attempting to effect any disembarkation of Africans upon the coast of any of the southern provinces of the Empire, to whose Presidents the Undersigned forwards suitable instructions under the present date.

The Undersigned, &c.

(Signed) ANTONIO PAULINO LIMPO DE ABREO.

List of the Cargo of the "Trajano," *bound to Rio Grande.*

Pork	20 Arrobas.
Baize..	4 „
Chesnuts	10 „
Wine..	1 Pipe.
Beans..	110 Bags.
Hams..	14 Barrels.
Pine Boards	12 Dozen.
Rice	45 Bags.
One Caboose	20 Arrobas.

List of the Cargo of the "Guerra," *bound for Vianna and Santos.*

Two Cabooses	20 Arrobas.
Rice .. .. 20 Bags,	100 „
Hams.. .. .. 13 Barrels,	60 „
Farinha (Manioc) .. .. 75 Bags,	40 „
Beans.. .. .. .. 105 Bags.	
Wine.. .. 20 Almudes, 1 Canada.	
Pine Boards .. .. 10 Dozen.	

(Signed) JOAQUIM MARIA NASCENTES D'AZAMBUJA.

Inclosure 5 in No. 163.

Mr. Howard to Senhor Limpo de Abreo.

Sir, *Rio de Janeiro, January* 27, 1854.

I BEG to return your Excellency my best thanks for the very interesting information relative to the proceedings of certain slave-traders, contained in your note of the 23rd instant, in reply to mine of the 21st, concerning the departure from the Douro for the coast of Africa, of two Portuguese vessels, the "*Guerra*" and the "*Trajano*," as well as for the communication of the circular addressed by your Excellency to the Presidents of the maritime provinces, on the subject of those vessels; and for the arrest and contemplated banishment from the Empire of the well-known agent of the slave-dealers, Manoel Domingues Dias Pereira.

I shall have great pleasure in forwarding a copy of your Excellency's note and of its inclosure to Her Majesty's Principal Secretary of State for Foreign Affairs, and I feel persuaded that Her Majesty's Government will fully appreciate the various prompt and vigorous measures which have thus been taken by the Imperial Government with a view to the suppression of the Slave Trade.

I likewise take this opportunity of mentioning with satisfaction the accounts which I have received from Her Majesty's Consul at Bahia, of the activity displayed by the President of that Province, as well as by the President of the province of Alagoas, in guarding against any attempt to carry on the Slave Trade in those parts of the Empire.

I avail, &c.

(Signed) HENRY F. HOWARD.

No. 164.

The Earl of Clarendon to Mr. Howard.

Sir, *Foreign Office, March* 22, 1854.

I TRANSMIT to you herewith, for your information, and for communication to the Brazilian Government, a copy of the Portaria,* which, at the request of Her Majesty's Government, has been lately issued by the Government of His Most Faithful Majesty, ordering the expulsion from the province of Angola of the Brazilian subject, Francisco Antonio Flores, on account of his notorious participation in slave-trading operations.

I am, &c.

(Signed) CLARENDON.

* Inclosure in No. 370.

No. 165.

The Earl of Clarendon to Mr. Howard.

Sir, *Foreign Office, March* 23, 1854.

I HAVE received your despatch of the 11th ultimo, reporting the steps which the Brazilian Government had taken in consequence of information which you communicated to them, founded on my despatch to Mr. Jerningham of the 21st of October, 1853, respecting the sailing of vessels from Bahia for the coast of Africa, intended to be employed in Slave Trade; and I have in reply to instruct you to express to the Brazilian Minister for Foreign Affairs the satisfaction of Her Majesty's Government at the instructions sent to the President of Bahia as to the necessity of carefully inspecting and watching all vessels clearing out from thence for the coast of Africa.

I am, &c.
(Signed) CLARENDON.

No. 166.

The Earl of Clarendon to Mr. Howard.

Sir, *Foreign Office, March* 24, 1854.

WITH reference to the contents of your despatch of the 11th ultimo, I have to instruct you to express to the Brazilian Minister for Foreign Affairs the acknowledgments of Her Majesty's Government for the communication of the substance of several letters written from Loanda, respecting the proceedings of the slave-dealers there; and also for his Excellency's promise that the Brazilian Government will urge the Chamber of Deputies to pass the Bill which was approved by the Senate last session, and which is intended to give the Government greater powers than it now possesses to prosecute and punish slave-dealers.

You will inform Senhor Limpo de Abreo that Her Majesty's Government have instructed Her Majesty's Minister at Lisbon to communicate to the Portuguese Government the above-mentioned information respecting the schemes of the slave-traders at Loanda, and to express their confident hope that the Government of His Most Faithful Majesty will take effective measures for the prevention of these criminal projects, either by expelling the guilty parties from Angola, or by punishing them in some more stringent and exemplary manner than heretofore.

Sir R. Pakenham has also been instructed to urge the Portuguese Government to pass a law for the prevention of Slave Trade similar to the project which has been approved by the Brazilian Senate, so far as it can be made applicable to the dominions of the Crown of Portugal.

I am, &c.
(Signed) CLARENDON.

No. 167.

The Earl of Clarendon to Mr. Howard.

Sir, *Foreign Office, March* 25, 1854.

I HAVE received your despatches of the 11th and 12th ultimo, inclosing copies of your correspondence with the Brazilian Minister for Foreign Affairs, respecting certain vessels which were supposed to be on their way to the coast of Brazil with cargoes of African slaves on board; and I have to instruct you to

state to Senhor Limpo de Abreo, that you have transmitted this correspondence to Her Majesty's Government, and that you have been directed to express to his Excellency the satisfaction with which Her Majesty's Government have learnt the vigorous and determined measures taken by the Brazilian Government in order to counteract these criminal projects of the slave-dealers.

I am, &c.

(Signed) CLARENDON.

BRAZIL. (*Consular*)—*Bahia.*

No. 168.

Consul Morgan to Lord John Russell.—(*Received April* 18.)

(Extract.) *Bahia, March* 18, 1853.

OF late reports have been circulated in this city, that several vessels are expected from the coast of Africa laden with slaves.

Information, however, on this abominable Traffic is now so difficult to be obtained, that operations, if realisable, are likely to be conducted with so much secresy that, notwithstanding the good faith evinced by the provincial authorities, I apprehend that we shall all be led at fault by the cunning devices of the slave-dealers.

Whether these reports are spread as feelers to public opinion, to ascertain the extent of the vigilance likely to be maintained over certain spots on this coast, to create false alarms, to prove the non-existence of any such Traffic, thereby effectually to allay that vigilance, is what I conceive the plan adopted, with the view of furthering the success of premeditated schemes.

That several speculations have been rendered abortive by the vigilance of Her Majesty's cruizers on the coast, I know to be a fact; but I am equally convinced that the spirit to undertake the risk of these infamous transactions is as ever alive, and will continue to exist as long as the drain on the slave population is sanctioned under the plea of its legality, by the exportation of slaves coastwise, as I had the honour to demonstrate to your Lordship in my despatch of February 17 of this year.*

Bahia is essentially, if not wholly, a sugar-producing province. Colonization there is none; nor is there a prospect that steps will be taken by this Government to supply the want of labour which is daily increasing, not only by the exportation in question, but also by the unwise regulations adopted by the provincial authorities to deprive the free and industrious negroes of the means of earning a livelihood in competition with the natives of the country. Those regulations are driving the free Africans back to the coast, and the void they leave is necessarily felt in all the relations of social life. It would, therefore, not be surprising to hear of the landing of slaves, and the more so as the season is at hand when it is more than doubtful whether the two small Brazilian men-of-war, vessels unfit for the service, would be able to continue at sea to effect the purposes for which they are stationed in this province.

* See Class B, presented 1853, No. 117.

No. 169.

Consul Morgan to Lord John Russell.—(*Received April* 18.)

y Lord, *Bahia, March* 18, 1853.

I BELIEVE the following information lately furnished me of the names and residences of three of the most active slave agents on the coast of Africa, may very materially assist Her Majesty's cruizers in effecting their expulsion therefrom, or the destruction of the establishments they possess for the nefarious purposes of slave-trading.

João José de Lima, residing at Lomoé, to the leeward of Onim, is the principal agent now on that part of the coast, who was, or may yet be, intimately connected with the dealers in this city. This individual, I am told, has upwards of 3,000 slaves ready to be embarked on the arrival of the first vessels. Lomoé is situated on an open coast with a bad anchorage-ground, and from its insignificance may have escaped notice.

Domingos José Martins, the second agent of importance, resides at Porto Novo, and is a partner of the above-mentioned Lima.

Joaquim de Almeida, a free African, at one time a slave in this city, resides at Aghwey, and is connected with the aforenamed individuals in the furtherance of their nefarious speculations.

I have, &c.
(Signed) JOHN MORGAN, Jun.

No. 170.

Consul Morgan to Lord John Russell.—(*Received May* 17.)

My Lord, *Bahia, March* 31, 1853.

I HAVE the honour to lay before your Lordship, the accompanying lists Nos. 1 and 2 of the trade between this port and the coast of Africa, during the quarter ended this day.

I have, &c.
(Signed) JOHN MORGAN, Jun.

Inclosure 1 in No. 170.

LIST of Vessels which have entered the Port of Bahia from the Coast of Africa, during the Quarter ending March 31, 1853.

No.	Date of Entry.	Nation.	Class.	Name.	Tons.	Crew.	Master.	Owner.	Cargo.	Whence.	Days out.
	1853.										
1	Jan. 22	Sardinian ..	Polacca ..	Italia	163	11	A. Bonsignore . ..	Not known	Ballast ..	Porto Novo ..	23
2	„ 24	French ..	Brig	Gabrielle Charles ..	172	..	A. F. Alberto	Ditto	Ditto ..	Acorá	35
3	Feb. 3	Sardinian ..	Polacca ..	Volatrice	221	12	E. Piaggio	Ditto	General ..	Porto Novo ..	29

British Consulate, Bahia, March 31, 1853.

(Signed) JOHN MORGAN, Jun., *Consul.*

Inclosure 2 in No. 170.

LIST of VESSELS which have sailed from the Port of Bahia for the Coast of Africa, during the Quarter ending March 31, 1853.

No.	Date of Sailing.	Nation.	Class.	Name.	Tons.	Crew.	Master.	Owner.	Cargo.	Whither bound.	Remarks.
	1853.										
1	Jan. 8	Portuguese..	Patacho ..	Dous Irmãos ..	161	..	— Lage..	Not known ..	General ..	Coast of Africa	
2	Feb. 1	Sardinian ..	Ditto ..	Adige	165	8	P. Armelini	Ditto	Ditto ..	Ditto	Conveys free blacks as passengers.
3	„ 23	French ..	Brig ..	Gabrielle Charles ..	288	11	A. F. Alberto	Ditto	Rum ..	Ditto	
4	„ 24	Portuguese	Yacht ..	Aguia	144	14	A. Alves de Amorim ..	Ditto	General ..	Ditto	Conveys free blacks as passengers.
5	Mar. 21	Sardinian ..	Patacho ..	Iride	110	10	G. Anselmo	Ditto	Ditto ..	Ditto	
6	„ 21	Ditto ..	Polacca ..	Guiseppina.. ..	169	7	V. Gron	Ditto	Rum ..	Ditto	

British Consulate, Bahia, March 31, 1853.

(Signed) JOHN MORGAN, Jun., *Consul.*

No. 171.

Consul Morgan to the Earl of Clarendon.—(*Received June* 13.)

My Lord, *Bahia, May* 13, 1853.

ON the night of the 8th instant, the inhabitants of this city were disturbed by the cry of alarm of the garrison to arms in the supposition of an impending insurrection of the slave population.

The Government press is silent on this subject, but during that night the streets were patrolled by large detachments of cavalry, and the infantry kept within their barracks under arms. It is reported that arms and ammunition were found secreted in the houses of some liberated Africans of the Nago or Minas nation, as well as flags and masquerading dresses such as were displayed by them in the last great insurrection in the year 1835.

The jails are full of free Africans and the domiciliary visits of the police are deplorable. I, however, believe the apprehension entertained by the provincial Government is much greater than facts seem to justify, and that the opportunity is taken to oblige the liberated blacks to return to Africa without their possessing the means of doing so, but which the Government by law and by every principle of justice are bound to do at their own expense.

This will only show your Lordship how great the curse is to which all are subjected by the insecurity of life resulting from the awful state of slavery of so many thousands of our fellow creatures in this large slave-holding province, where, at stated periods, an insurrection is generally expected.

I have, &c.

(Signed) JOHN MORGAN, Jun.

No. 172.

Consul Morgan to the Earl of Clarendon.—(*Received July* 14.)

My Lord, *Bahia, June* 6, 1853.

WITH reference to my despatch of the 13th ultimo, wherein I acquainted your Lordship of the measures now in the course of adoption by the Brazilian authorities of this city to rid themselves of the free negroes, on the suspicion entertained that their continued residence in the province was dangerous to the public peace, and was an obstacle to the permanent subjection of the slave population; I have the honour to add that on the 2nd instant the Chief of Police, with the view to enforce his interpretation of Brazilian law relating thereto, ordered the detention of the Dutch schooner "*Gouverneur van der Eb*," ready to proceed to sea to the colony of Elmina, and tried to force that flag to be the carrier of the negroes who are now in jail destined for transportation back to the coast of Africa.

Without asking permission, without tendering payment for the passages of the transported individuals, without inquiry whether foreign flags could be made subservient to Brazilian policy arising out of their infraction during so many years of all laws of morality and justice, the Chief of Police insisted in his determination to violate the most common notions of the public law of nations. He was prepared to make foreign flags bound to the coast the instruments of injustice, such as transporting a class of men whose freedom constituted their greatest crime, and which freedom they had purchased after years of privation and economy. These Africans are now to be torn away from their wives and children in the same barbarous manner the infamous men-stealers practised upon them at a former period in their native land when kidnapped and brought as slaves to Brazil.

Under the disagreeable impression caused by so arbitrary an act, the Consul of the Netherlands applied both to myself and to the French Consul for advice, and in the inclosed copy of my letter to the former your Lordship will see the opinion I expressed thereon, which I trust will deserve your approbation.

The President of the province, sorely embarrassed on so simple a question of right, after three days' deliberation, ordered the release of the "*Gouverneur*

van der Eb;" but I am told he previously expressed an opinion that he considered the resolution come to of abandoning that vessel as a threat, and that on a future occasion he would be inclined to be more severe with the flags of powerful nations, although in this instance he would waive the determination of enforcing the laws of the country on a weak one.

I believe this observation of his Excellency has reference to two French vessels now loading for the coast of Africa; but I can hardly suppose he will attempt to enforce upon them his ill-advised interpretation of Brazilian law.

I have, &c.
(Signed) JOHN MORGAN, Jun.

Inclosure in No. 172.

Consul Morgan to the Netherlands Consul at Bahia.

Sir, *Bahia, June* 4, 1853.

I HAVE the honour to reply to your letter of this day's date, in which you request to know whether the ships of my nation have ever carried away from this country individuals who have been sentenced to transportation.

I am not aware of any circumstance under the British flag, nor would it be tolerated, that could justify the measure now adopted by the Chief of Police of this city in enforcing on the Dutch vessel "*Gouverneur van der Eb*" the liberated Africans he has instructions to transport to the coast of Africa.

This measure, however, is one that interests every flag trading to Brazil, and under the peculiarly arbitrary manner in which the Chief of Police has acted in detaining on his own free will and responsibility the "*Gouverneur van der Eb,*" thus literally making subservient (against all international law) a foreign flag to the ends and purposes of Brazilian regulations, is the more surprising, and to be resisted, as at present I am given to understand the law of the country makes it obligatory on this Government to do so, and at their own expense; but whatever the law of Brazil may be upon this head, it cannot have any application to foreign flags, as it indeed might bring them into trouble with those countries to whom they are bound by Treaties on the Slave Trade.

Should the Government of the province refuse you prompt redress, your only course in my opinion would be to abandon the "*Gouverneur van der Eb*" to the Brazilian authorities, making them responsible for ship and cargo, and all the expenses attending the transmission of the crew to Holland.

I have, &c.
(Signed) JOHN MORGAN, Jun.

No. 173.

The Earl of Clarendon to Mr. Morgan.

Sir, *Foreign Office, August* 6, 1853.

I HAVE received your despatch of the 6th ultimo, inclosing a copy of a letter which you addressed on the 4th ultimo to the Netherlands Consul at Bahia respecting the measures adopted by the authorities of that port for the purpose of compelling a Netherlands vessel to convey some free negroes from Bahia to the coast of Africa.

I have to acquaint you that Her Majesty's Government entirely approve the advice which you tendered to the Netherlands Consul with regard to that affair; and I have to inform you that I have instructed Her Majesty's Chargé d'Affaires at Rio de Janeiro to protest against these acts of the Chief of Police at Bahia, to warn the Brazilian Government of the consequences of any such attempt being made upon a British vessel, and to say that Her Majesty's cruizers will receive special instructions to watch the conduct of the authorities of Bahia in this matter.

I am, &c.
(Signed) CLARENDON.

No. 174.

Consul Morgan to the Earl of Clarendon.—(*Received August* 13.)

My Lord, *Bahia, June* 30, 1853.

I HAVE the honour to lay before your Lordship the accompanying lists, Nos. 1 and 2, of the trade between this port and the coast of Africa during the quarter ended this day.

I have, &c.
(Signed) JOHN MORGAN, Jun.

Inclosure 1 in No. 174.

LIST of VESSELS which have entered the Port of Bahia from the Coast of Africa, during the Quarter ending June 30, 1853.

No.	Date of Entry.	Nation.	Class.	Name.	Tons.	Crew.	Master.	Owner.	Cargo.	Whence.	Days out.
1	1853 May 1	French ..	Brig	Capillan	184	11	— Maurell	Not known	Ballast ..	Minas	23
2	„ 4	Portuguese ..	Patacho ..	Dous Irmãos	123	11	D. da Ca. Lage	Ditto	Oil ..	Porto Novo ..	321
3	„ 13	French ..	Polacca ..	Robuste	157	10	— Amand	Ditto	Ballast ..	Ajuda	
4	June 22	Portuguese ..	Yacht ..	Veloz	163	12	A. C. C. Giraldes	Ditto	Sundries..	Onim	65
5	„ 27	Sardinian ..	Patacho ..	Iride	100	9	G. Anselmo	Ditto	Oil ..	Porto Novo ..	23

British Consulate, Bahia, June 30, 1853. (Signed) JOHN MORGAN, Jun., *Consul.*

Inclosure 2 in No. 174.

LIST of VESSELS which have sailed from the Port of Bahia for the Coast of Africa, during the Quarter ending June 30, 1853.

No.	Date of Sailing.	Nation.	Class.	Name.	Tons.	Crew.	Master.	Owner.	Cargo.	Whither bound.
1	April 3	Sardinian ..	Polacca	Volatrice	221	12	C. Piaggio	Not known	General ..	Coast of Africa
2	„ 20	Ditto	Barque	Limegna	303	11	Levasco Franco	Ditto	Ditto ..	Ditto
3	„ 24	Portuguese ..	Brig	Xae Alan	354	32	M. Wallegy	Ditto	Ditto ..	Angola
4	May 8	Ditto	Barque	Linda Flor..	223	15	A. P. Lisboa	Ditto	Ditto ..	Loando
5	June 8	Dutch	Schooner ..	Gouverneur Van der Eb ..	162	7	W. Haster	Ditto	Rum ..	Elmina
6	„ 9	French	Patacho	Robuste	157	10	— Miseole..	Ditto	General ..	Coast of Africa
7	„ 20	Ditto	Polacca	Eleonie	162	11	Aumand	Ditto	Ditto ..	Ditto

British Consulate, Bahia, June 30, 1853. (Signed) JOHN MORGAN, Jun., *Consul.*

No. 175.

Consul Morgan to the Earl of Clarendon.—(*Received August* 13.)

My Lord, *Bahia, June* 30, 1853.

I HAVE the honour to transmit herewith to your Lordship the half-yearly return of the prices of slaves in this city.

I have, &c.

(Signed) JOHN MORGAN, Jun.

Inclosure in No. 175.

RETURN of the Prices of Slaves within the District of the Province of Bahia during the half-year ending June 30, 1853.

						£	*s.*	*d.*		£	*s.*	*d.*
African	Males	Rs.	700$000	to Rs.	800$000	84	11	8	to	96	13	4
„	Females	„	650$000	„	750$000	78	10	10	„	90	12	6
Creole	Males	„	800$000	„	900$000	96	13	4	„	108	15	0
„	„ with professions..	„	1000$000	„	2000$000	120	16	8	„	241	13	4
„	Females	„	700$000	„	800$000	84	11	8	„	96	13	4

(Signed) JOHN MORGAN, Jun.

British Consulate, Bahia, June 30, 1853.

No. 176.

Consul Morgan to the Earl of Clarendon.—(*Received September* 15.)

My Lord, *Bahia, August* 18, 1853.

AS a great deal of activity has existed in despatching and taking up vessels for the coast of Africa since my last returns of the 30th of June, I have been informed that the slave-dealers of this city, undeceived at last as to the danger of continuing their nefarious practices on this coast, have turned their attention to the Cuba markets, and hence, therefore, the unusual quantity of rum and tobacco that is now being shipped for the coast, in partnership with the Cuba dealers and for the purposes of slave-trading.

The annexed return will show your Lordship the names of the vessels that have sailed, also those at present loading, the majority of which are bound to some new deposit near Onim, the name of which it has not been possible to ascertain.

I have, &c.

(Signed) JOHN MORGAN, Jun.

Inclosure in No. 176.

List of vessels which have sailed from the Port of Bahia for the Coast of Africa since June 30, 1853.

Date of Sailing.	Nation.	Class.	Name.
July 13	Sardinian	Smack ..	Fulmine
„ 26	Portuguese	Brig	Lealdade
„ 27	Austrian	Barque ..	Melinka
August 17	Portuguese	Schooner ..	Dois Amigos

List of vessels loading at the Port of Bahia for the Coast of Africa.

Nation.	Class.	Name.
Sardinian	Schooner	Iride
Ditto	Polacca	Porto Mauricio
Ditto	Ditto	Guiseppina
French	Brig	Charles et Gabrielle
Portuguese	Schooner	Veloz

(Signed) JOHN MORGAN, Jun.

British Consulate, Bahia, August 18, 1853.

No. 177.

Consul Morgan to the Earl of Clarendon.—(Received November 16.)

My Lord *Bahia, October* 1, 1853.

I HAVE the honour to transmit herewith the quarterly returns of the departure and arrival of vessels to and from the coast of Africa.

As stated to your Lordship in my despatch of August 18, I still suspect that illegal speculations are going forward from this port in conjunction with slave-dealers in the Island of Cuba.

The ground for this suspicion is the information I received some time back that one of the crew of the Portuguese schooner "*Aguia*," taken a few months back on the coast by Her Majesty's cruizers and carried to Sierra Leone, had declared on his arrival here that several parties in this city were interested in the illegal trade, and that one of them in particular was the owner of a fast-sailing schooner, under American colours, trading between that coast and Cuba.

I was the more confirmed in this suspicion, as the old slave-dealers, who appeared to have given up all commercial transactions with the coast of Africa ever since the rigorous proceedings instituted by this Government against the Traffic, are the very parties who are now again coming forward as the greatest shippers to the coast.

I have, &c.

(Signed) JOHN MORGAN, Jun.

Inclosure 1 in No. 177.

LIST of VESSELS which have entered the Port of Bahia from the Coast of Africa, during the Quarter ending September 30, 1853.

No.	Date of Entry.	Nation.	Class.	Name.	Tons.	Crew.	Master.	Owner.	Cargo.	Whence.	Days out.
1	July 27	French	Barque ..	Charles et Gabrielle ..	174	11	— Albert	Not known	Ballast ..	Ajuda	28
2	Aug. 6	Sardinian ..	Polacca ..	Guiseppina..	130	9	V. Grasso	Ditto	Ditto ..	Onim	26

British Consulate, Bahia, September 30, 1853. (Signed) JOHN MORGAN, Jun., *Consul.*

Inclosure 2 in No. 177.

LIST of VESSELS which have sailed from the Port of Bahia for the Coast of Africa, during the Quarter ending September 30, 1853.

No.	Date of Sailing.	Nation.	Class.	Name.	Tons.	Crew.	Master.	Owner.	Cargo.	Whither bound.
1	July 13	Sardinian ..	Smack	Fulmine	200	9	E. Torre	Not known	Rum & tobacco	Coast of Africa
2	„ 26	Portuguese ..	Brig	Lealdade	185	10	J. A. Branco	Ditto	Rum, &c. ..	Loanda
3	„ 27	Austrian ..	Barque	Melinka	294	10	B. Florio	Ditto	Rum & tobacco	Coast of Africa
4	Aug. 17	Portuguese ..	Patacho	Dous Irmãos	161	12	D. da Ca. Lage	Ditto	Ditto ..	Ditto
5	„ 20	Sardinian ..	Polacca	Porto Mauricio	178	..	B. Luppe	Ditto	Ditto ..	Ditto
6	„ 28	French	Brig	Gabrielle et Charles ..	288	11	— Albert	Ditto	Rum ..	Ditto
7	Sept. 5	Sardinian ..	Polacca	Guiseppina..	169	11	V. Grasso	Ditto	Rum & tobacco	Ditto
8	„ 13	Ditto	Patacho	Iride	110	10	G. Ansaldo	Ditto	Ditto ..	Ditto
9	„ 20	Portuguese ..	Yacht	Veloz	162	12	J. Crisostimo	Ditto	Tobacco, &c.	Ditto

British Consulate, Bahia, September 30, 1853. (Signed) JOHN MORGAN, Jun., *Consul.*

No. 178.

Consul Morgan to the Earl of Clarendon.—(*Received November* 16.)

My Lord, *Bahia, October* 18, 1853.

THE British barque "*Jenny Lind*," of Stockton, was, during the past month of September, chartered by an Italian merchant residing in this city, to proceed to the coast of Africa.

Being consulted by the consignee and charterer whether any impediments existed to prevent her taking a cargo to that destination, my reply was, I knew no reason why a British vessel should be debarred the chance of accepting a good freight when once the cargo was a legal one, and the more so as her destination was said to be to Cape Coast Castle, a British settlement. At the same time I gave the charterer distinctly to understand I would not furnish my signature to any document the production of which might be made use of for purposes I could not know; and furthermore, to place the matter beyond dispute hereafter, I handed him the Treaty on the Slave Trade with Portugal, in order that he might govern his acts in accordance, and reminded him of the circumstances attending the seizure of the "*Guiana*" in the year 1838.

I afterwards ascertained the "*Jenny Lind*" had on board upwards of 200 empty casks, said to be destined for palm-oil; that after much trouble the Export Office had accepted the charterer's bond; and that the destination of the "*Jenny Lind*" by the charter-party was to places between St. George del Mina and Lagos, and not Cape Coast Castle.

Although I had no reason to doubt the good faith of the consignee or the master, yet it appeared to me Senhor Carrena, the charterer, was not sufficiently sincere in his declarations as to the nature of the cargo he intended to ship on board the "*Jenny Lind*," as I would then have considered it a duty to warn the master of the risk he ran, however innocently.

I refused, therefore, on presentation at this office, to certify the signatures on the bond given at the Export Office, not only for the reasons above specified, but also because the antecedents of Senhor Carrena, as an old slave-dealer, were such as to make me pause before becoming a party to any nefarious transactions he might attempt hereafter, although the cargo he has now shipped has been sent forward under the British flag.

I also had to take into consideration the fact of large shipments to the coast having of late been made by other slave-dealers who, it is currently reported, are connected with the Cuba traffickers in human flesh.

I have likewise to declare that the charter-party was never shown to me until several days after the vessel had cleared at this Consulate for Cape Coast Castle.

I have, &c.
(Signed) JOHN MORGAN, Jun.

No. 179.

The Earl of Clarendon to Consul Morgan.

Sir, *Foreign Office, November* 25, 1853.

I HAVE received your despatch of the 18th of October, stating the reasons why you declined to certify the signatures on a bond given by Senhor Carrena respecting 200 empty casks which were on board the British barque "*Jenny Lind*," which vessel he had chartered to take a cargo from Bahia to the Bight of Benin.

And I have to acquaint you that I entirely approve the caution which you exercised in this matter, as it has occurred on former occasions in Brazil that attempts have been made to use such certificates in order to cover slave-trading adventures.

I am, &c.
(Signed) CLARENDON.

No. 180.

Consul Morgan to the Earl of Clarendon.—(*Received January* 16, 1854.)

My Lord, *Bahia, December* 7, 1853.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 22nd October last, transmitting a copy of the report of a Select Committee of the House of Commons respecting the Treaties and Engagements between Great Britain, Spain, and Portugal relating to the Slave Trade.

I have, &c.

(Signed) JOHN MORGAN, Jun.

No. 181.

Consul Morgan to the Earl of Clarendon.—(*Received January* 16, 1854.)

My Lord, *Bahia, December* 17, 1853.

I HAVE the honour to transmit herewith to your Lordship a translation of a despatch I considered it my duty to address to the President of the Province consequent on some confidential information received of an anticipated attempt to land slaves on this coast, should a favourable opportunity offer for embarking them in Africa and running safely across the Atlantic.

I could not vouch for the accuracy of the information, as it is most difficult to obtain anything like accurate data upon these matters; but the certainty of an increase in the departures for the coast of Africa of late, the shipments going forward of rum and tobacco, two of the principal articles for the Traffic for account of the Cuba dealers, all warranted me in the opinion I formed that such information was not wholly without foundation.

Since then two vessels have arrived from Africa, and I have been further acquainted that the Sardinian patacho "*Iride*," and Portuguese yacht "*Veloz*," are hanging off and on that coast watching for their opportunity, and that some place in the province of Alagoas is the destined point on which they will attempt to disembark, should those vessels escape the vigilance of Her Majesty's cruizers.

I have, therefore, addressed Her Majesty's Vice-Consul at Maceio on the subject, advising him of these supposed proceedings, a copy of which I have equally the honour to transmit inclosed.

I have, &c.

(Signed) JOHN MORGAN, Jun.

Inclosure 1 in No. 181.

Consul Morgan to the President of the Province of Bahia.

(Translation.)

Most Excellent Sir, *Bahia, November* 25, 1853.

INASMUCH as I am perfectly convinced of the determination of your Excellency's Government to prevent any attempt at landing slaves from the coast of Africa on the shores of this province, and that it will not fail to appreciate any information which can possibly cause some means to be adopted of preventing such an attempt; in this understanding I have to acquaint your Excellency that I am confidentially aware that it is expected the Sardinian patacho "*Iride*" which sailed from this port on the 5th of September last past, and the Portuguese yacht "*Veloz*," which also sailed on the 13th of the same month, will land slaves on the coast to the south if the trade wind be favorable for them, as the slaves are ready to be embarked at Aghwey on the coast of Africa.

In presenting this information to your Excellency I do not vouch to its

truth, but as there is every certainty that from this port there are criminal speculations in connection with the dealers in human flesh in the Island of Cuba, it is impossible entirely to disbelieve a rumour which, without the Government desiring it, may unfortunately be realized.

I avail, &c.
(Signed) JOHN MORGAN, Jun.

Inclosure 2 in No. 181.

The President of the Province of Bahia to Consul Morgan.

(Translation.)

Sir, *Government Palace, Bahia, November* 29, 1853.

I ACKNOWLEDGE the receipt of your despatch of the 25th instant, transmitting me some confidential information which had been given you respecting an attempt at the Traffic and landing of Africans on the south coast of this province, and, in reply, I have to acquaint you that measures have been adopted in order that, in case the said information should be correct, the consummation of that crime be prevented and its perpetrators punished, it remains with me to thank you for the above communication, and to ask you to be good enough to transmit me whatever other information you may by chance obtain.

(Signed) JOAO MAURICIO WANDERLEY.

Inclosure 3 in No. 181.

Consul Morgan to Vice-Consul Burnett.

Sir, *Bahia, December* 17, 1853.

I HAVE received information that the Sardinian patacho "*Iride*," and the Portuguese hiate "*Veloz*," which sailed from this port for the coast of Africa in September last, are expected to disembark slaves on this coast. It was first rumoured that the landing was to be effected on the South Coast of this province, but I have just learnt that the attempt is to be made in Alagoas.

Both these vessels are waiting, on the coast of Africa, a favourable opportunity to receive the slaves; I therefore think it proper to acquaint you therewith for your information and guidance.

I have, &c.
(Signed) JOHN MORGAN, Jun.

No. 182.

The Earl of Clarendon to Consul Morgan.

Sir, *Foreign Office, January* 24, 1854.

I HAVE received your despatch of the 17th of December last, inclosing copies of letters which you had addressed to the President of the province of Bahia, and to the British Vice-Consul at Maceio, respecting an attempt which you believed to be in contemplation to effect the disembarkation of a cargo of slaves on the coast of Bahia; and I have, in reply, to express to you my approval of the steps which you have taken in this matter.

You will, of course, always endeavour to make known to the commanders of Her Majesty's cruizers any information which you may receive respecting the proceedings of the slave-dealers.

I am, &c.
(Signed) CLARENDON.

No. 183.

Consul Morgan to the Earl of Clarendon.—(*Received February* 15, 1854.)

My Lord, *Bahia, December* 31, 1853.

I HAVE the honour to transmit herewith to your Lordship the half-yearly return of the prices of slaves in this city.

I have, &c.
(Signed) JOHN MORGAN, Jun.

Inclosure in No. 183.

RETURN of the Prices of Slaves within the District of the Consulate of Bahia during the half-year ending December 31, 1853.

			£ s. d.		£ s. d.
African Males	Rs. 700$000	to Rs. 800$000	81 13 4	to	93 6 8
„ Females	„ 650$000	„ 750$000	75 16 8	„	87 10 0
Creole Males	„ 800$000	„ 900$000	93 6 8	„	105 0 0
„ „ with professions	„ 1000$000	„ 2000$000	116 13 4	„	233 6 8
„ Females	„ 700$000	„ 800$000	81 13 4	„	93 6 8

(Signed) JOHN MORGAN, Jun.
British Consulate, Bahia, December 31, 1853.

No. 184.

Consul Morgan to the Earl of Clarendon.—(*Received February* 15, 1854.)

My Lord, *Bahia, December* 31, 1853.

I HAVE the honour to lay before your Lordship the accompanying lists (Nos. 1 and 2) of the trade between this port and the coast of Africa during the quarter ended this day.

I have, &c.
(Signed) JOHN MORGAN, Jun.

Inclosure 1 in No. 184.

LIST of VESSELS which have entered the Port of Bahia from the Coast of Africa, during the Quarter ending December 31, 1853.

No.	Date of Entry.	Nation.	Class.	Name.	Tons.	Crew.	Master.	Owner.	Cargo.	Whence.	Days out.
1	Nov. 12	Portuguese ..	Barque ..	Linda Flor	176	14	Ao. Pera. Lisboa	Not known	General	Acará	26
2	Dec. 10	Ditto .. .	Patacho ..	Dous Irmãos	123	12	Dos. da Ca. Lage	Ditto	Ditto	Porto Novo ..	37
3	„ 13	Ditto	Yacht.. ..	Aguia	105	6	A. A. de Amorim	Ditto	Ballast	Loanda	25

British Consulate, Bahia, December 31, 1853.

(Signed) JOHN MORGAN, Jun., *Consul.*

Inclosure 2 in No. 184.

LIST of VESSELS which have sailed from the Port of Bahia for the Coast of Africa, during the Quarter ending December 31, 1853.

No.	Date of Sailing.	Nation.	Class.	Name.	Tons.	Crew.	Master.	Owner.	Cargo.	Whither bound.
1	Oct. 12	Portuguese ..	Yacht	Emilia	103	9	A. de Lemos Encarção ..	Not known	General ..	Coast of Africa
2	„ 13	English	Barque	Jenny Lind	350	15	Richard Brecon	George Westgarth ..	Rum & tobacco	Cape Coast Castle
3	„ 23	Dutch	Galliot	Curaçoa..	158	8	— Wonhadk	Not known	Rum	St. George d'Elmina
4	Nov. 17	Austrian.. ..	Polacca	Roy	306	10	Tripowich	Ditto	Rum & tobacco	Coast of Africa
5	„ 26	Portuguese ..	Brig	Intrepido	282	14	Fo. dos Dores	Ditto	General ..	Ditto
6	Dec. 5	Ditto	Ditto	Robim	201	10	I. d'Ala. Baptista	Ditto	Ditto	Angola
7	„ 6	Sardinian ..	Patacho .. .	Adige	163	8	P. Amellino	Ditto	Ditto	Coast of Africa

British Consulate, Bahia, December 31, 1853.

(Signed) JOHN MORGAN, Jun., *Consul.*

No. 185.

Consul Morgan to the Earl of Clarendon.—(*Received February* 15.)

My Lord, *Bahia, January* 2, 1854.

I HAVE the honour to transmit, inclosed, a list showing the number of slaves exported coastwise to Rio de Janeiro during the year ended the 31st of December last.

It is to be regretted that the Government or Legislature of this country should permit such a traffic, which, although legal by its laws, is certainly as barbarous, if not more so, than the primitive transshipment from the coast of Africa.

After a few years' residence in this country the Bozal negro becomes comparatively civilized. In time, he marries and has a family, and, like the rest of mankind, must be supposed to possess feelings and attachment towards his progeny, which we cannot deny even to the brute inhabitants of the forest. All at once, however, a slave-dealer comes into the market from Rio de Janeiro, buys up from the needy or avaricious masters all those slaves he can obtain, and, in most cases, is the cause of the separation of a father from his wife and children, and *vice versâ*, to be, perhaps, again sold at his ulterior destination, either to some harder task-master, or to some other unprincipled speculator in human flesh.

So scandalous a speculation ought really not to be permitted, although, in justice to the character of the natives of this country, it must be said, it is only amongst the Portuguese that individuals are to be found who lend themselves, under the cover of the law, to practices which are so abhorrent to a Christian's feelings.

I have, &c.
(Signed) JOHN MORGAN, Jun.

Inclosure in No. 185.

List of Slaves exported Coastwise from Bahia to Rio de Janeiro with Passports granted by the Authorities of this City.

1853	No.
January	102
February	71
March	28
April	92
May	169
June	114
July	133
August	134
September	36
October	18
November	40
December	143
	1,080

(Signed) JOHN MORGAN, Jun.
British Consulate, Bahia, January 2, 1854.

No. 186.

Circular to Her Majesty's Consuls in South America.

Sir, *Foreign Office, March* 2, 1854.

WITH reference to Viscount Palmerston's circular despatch of the 4th October, 1850, instructing you to send home half-yearly returns of the prices of slaves within the district of your Consulate, I have to desire that you will in future always add to that return a third column, showing what were the prices of slaves during the previous half-year, in order that I may be able with readiness to compare the relative prices of slaves during the two half-years.

I am, &c.

(Signed) CLARENDON.

BRAZIL. (*Consular*)—*Para.*

No. 187.

Consul Vines to the Earl of Clarendon.—(*Received March* 13.)

My Lord, *Pará, January* 28, 1854.

I HAVE the honour to transmit to your Lordship my annual report on the state of the Slave Trade and slavery within this Consulate for the year 1853.

With reference to the former, as applying to the importation of negroes from Africa, a Traffic which within a short period has been so extensively carried on in the southern provinces of Brazil has been entirely discontinued in this and the other provinces of the valley of the Amazon since 1835, so that the recent Imperial enactments to abolish the Slave Trade have been without effect in this portion of the Empire.

The principal cause of the early cessation of the Slave Trade, and indeed the reason it had been carried on to so limited an extent prior to 1835, is doubtless to be attributed to the insecurity of slave property in the Amazonian districts.

There have been known to exist, for several years, settlements of runaway negroes; one at Santarem, about 1,300 miles from this port, where upwards of 1,000 fugitive slaves are located, amongst the mountains and swamps in the vicinity of the villages of Parinha and Monte Alegre, and near the town of Macapá are encampments from whence fugitives easily escape to Cayenne. Within sixty miles of the city of Pará a settlement has been formed on the river Mujú, from which a female slave was recovered a few weeks ago; she had escaped during the insurrection of 1835, and re-appeared with a large family; and within a circuit of two leagues of Pará are many fugitive slaves.

The sites of these encampments appear to be carefully chosen to guard against a surprise from an attack.

The fugitives are said to be industrious in the cultivation of rice, mandioca and Indian corn, and in the manufacture of charcoal. They make canoes and barcoes, or small sailing vessels, which are used for the interior trade. They carry on a traffic with the inferior class of tradesmen in the neighbouring towns, exchanging the produce of their labour for certain necessaries, such as gunpowder and shot, cloth and soap, &c. Some of them are frequently known to venture into the city of Pará at night, where they have occasionally been taken and claimed by their owners, who endeavour to sell them, but find generally much difficulty in doing so, the freedom of their wandering life unfitting them for slavery.

The situation of these encampments being naturally difficult of access, and the connivance afforded the fugitives by parties trading with them, have rendered the repeated attempts to capture them abortive.

Another cause likely to account for the early abandonment of the African Slave Trade in this province is its vast natural resources, the wonderfully fertile soil producing large crops with comparatively little manual labour.

From the statement which I have the honour to annex it will be seen that the value of slave-grown produce exported in 1853 was 121,208*l.* sterling, which, subtracted from 516,651*l.*, the gross amount of exports for 1853, leaves 395,443*l.* as the value of the exports produced by free labour. India-rubber,

the most important article of commerce here, its value being greater than all the other exported produce combined, is almost entirely collected and prepared for market by free-labour, the labourers being principally Indians, a few free negroes, and Portuguese emigrants. Owners of slaves are afraid to risk them in this employment, owing to the facilities which the immense forests afford the slaves for escape.

The measure proposed last year in the provincial Assembly for levying a tax on exported slaves was not proceeded with, owing to the prices of slaves having rapidly assimilated between Pará and the southern ports.

During 1853 no vessel sailed from Pará to the coast of Africa, neither has any arrived here from thence.

I have, &c.
(Signed) SAMUEL VINES.

Return of the Slave-grown Produce Exported from the Port of Pará during 1853, with the value in British sterling.

Description of Produce.	Quantities.	Value.		
		£	*s.*	*d.*
Annatto	257¼ Tons	14,623	0	0
Rice..	747½ Tons	10,000	0	0
Rice in Husk	30,153 Alqueires	3,518	0	0
Cocoa	4,430 Tons	90,000	0	0
Tapioca	280 Alqueires	95	0	0
Cotton	53 Tons	2,150	0	0
Sugar	63 Tons	822	0	0
	Total of Value	121,208	0	0

BRAZIL. (*Consular*)—*Paraiba.*

No. 188.

Pro-Consul Krause to the Earl of Clarendon.—(*Received February* 15.)

My Lord, *Paraiba, January* 11, 1854.

I HAVE the honour to report that during the year ended December 31, 1853, no vessel sailed from this port for the coast of Africa, nor has any arrived from thence within that period.

The price of slaves has risen remarkably within the last twelve months, from the impossibility of obtaining new African blacks; a young, able-bodied male or female slave is frequently sold as high as Rs. 850$000 to 900$000 (112*l.*), and consequently slave-holders pay greater attention to the treatment of their blacks.

The following is a note of the exports from this province during the year 1853 of such articles as are produced wholly or in part by slave labour:

	No. of Bags.	Tons	cwts.	qrs.	lbs.	£	*s.*	*d.*
Cotton	26,756	2,297	14	1	21	116,597	11	2
Sugar	101,388	7,274	2	3	12	109,256	2	4½

I have, &c.
(Signed) HENRY KRAUSE.

BRAZIL. (*Consular*)—*Pernambuco.*

No. 189.

Consul Cowper to the Earl of Clarendon.—(*Received May* 17.)

My Lord, *Pernambuco, April* 11, 1853.

I HAVE great satisfaction in being able to report that the foreign Slave Trade has not been renewed within the district of this Consulate during the quarter which ended on the 31st of March.

A circumstance has occurred, however, which has all the appearance of mistaken zeal in the suppression of this Traffic upon the part of the Chief of the Police; an error in this direction, should it prove to be one, will be a novel occurrence with the Brazilian authorities.

The Brazilian brig "*Carolina,*" having been chartered in Rio de Janeiro for the French firm of Croco and Co., of this place, to carry a cargo of sugar hence to Genoa, sailed from the former port upon the 26th of February, and upon the 14th of March was totally lost at Tamandaré, about thirty leagues south of Pernambuco. Her papers were all regular, and no one but the Chief of the Police has the slightest doubt of the legality of her voyage; but that functionary, for reasons which he has not disclosed, proceeded to the wreck with an armed force, and immediately arrested the unfortunate master and crew, and marching them to this city, incarcerated them in the common gaol, announcing his determination to commence a criminal process against them for intention to engage in Slave Trade.

I have in vain attempted to discover the grounds of Senhor Regueira Costa's suspicions. I sent an agent down to the wreck, who reported that there was nothing in her appearance or fittings to justify them; and as the offence is not bailable, I think that the Chief of the Police is certainly obnoxious to the charge of great inhumanity towards these shipwrecked foreigners, unless upon their trial he can bring forward proofs which he at present conceals from the public. I shall not fail to keep your Lordship informed of the result.

I have, &c.

(Signed) H. AUGUSTUS COWPER.

No. 190.

The Earl of Clarendon to Consul Cowper.

Sir, *Foreign Office, August* 6, 1853.

I TRANSMIT herewith a copy of a despatch* which I received from Her Majesty's Consul at St. Michael's, pointing out that as the vessels which convey emigrants from the Azores to Brazil necessarily carry much of the equipment required for the conveyance of slaves, such vessels might, after landing the emigrants, be easily transferred to the Slave Trade.

And I have to instruct you to watch these vessels closely, and if there should be any reason to suspect that they are likely to be employed in bringing

* No. 387.

negroes from the coast of Africa either to Brazil or to Cuba, you will communicate your information to the British Chargé d'Affaires at Rio de Janeiro, in order that he may be enabled to make a representation thereupon to the Brazilian Government.

I am, &c.
(Signed) CLARENDON.

No. 191.

Consul Cowper to the Earl of Clarendon.—(*Received August* 13.)

My Lord, [*Pernambuco, July* 4, 1853.

I HAVE great satisfaction in being able to report that the foreign Slave Trade has not been renewed within the district of this Consulate during the quarter which ended on the 30th of June.

I have, &c.
(Signed) H. AUGUSTUS COWPER.

No. 192.

Acting-Consul Vredenburg to the Earl of Clarendon.—(*Received October* 3.)

My Lord, *Pernambuco, September* 3, 1853.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 6th of August, addressed to Mr. Cowper, inclosing a copy of a despatch from Mr. Hunt, Her Majesty's Consul at St. Michael's, in which that gentleman suggests the possibility of vessels bringing emigrants from the Azores being subsequently transferred to the Slave Trade.

Mr. Hunt mentions his belief that such a proceeding would be confined to the Brazilian flag, from the circumstance of the Portuguese vessels taking back produce to the Azores; it so happens, as far as respects this port, that the emigrant ships alluded to are almost invariably Portuguese, and there is every reason to believe that hitherto none of them have been employed in the nefarious Traffic in Slaves. I will not fail, however, to inquire most rigidly into the subsequent destination of such vessels; and should anything of a suspicious nature appear, will, in obedience to your Lordship's instructions, direct the attention of Her Majesty's Minister at Rio de Janeiro to the circumstance.

I have, &c.
(Signed) WATSON VREDENBURG.

No. 193.

Acting-Consul Vredenburg to the Earl of Clarendon.—(*Received November* 16.)

My Lord, *Pernambuco, September* 30, 1853.

I HAVE much satisfaction in informing your Lordship that there has been no renewal of the African Slave Trade within this province during the quarter ended this day.

I have, &c.
(Signed) WATSON VREDENBURG.

No. 194.

Acting-Consul Vredenburg to the Earl of Clarendon.—(*Received February* 11, 1854.)

My Lord, *Pernambuco, December* 31, 1853.

I HAVE much satisfaction in informing you that there has been no renewal in this province of the African Slave Trade during the quarter ended this day.

I have, &c.

(Signed) WATSON VREDENBURG.

No. 195.

Acting-Consul Vredenburg to the Earl of Clarendon.—(*Received February* 11.)

My Lord, *Pernambuco, January* 16, 1854.

I HAVE the honour to forward to your Lordship a copy of a despatch addressed to me by Mr. Burnett, British Vice-Consul at Maccio, in which he informs me of the energy and zeal displayed by the authorities at that port for the purpose of capturing a vessel with slaves from the coast of Africa, which it was rumoured was expected in that province.

On the receipt of Mr. Burnett's despatch, I addressed a despatch to the President of this province, and also waited on his Excellency, who informed me that he was already cooperating with the President of Alagoas, and had despatched two brigs of war to cruize on that part of the coast.

It is with much satisfaction that I feel justified in calling your Lordship's attention to the conduct of the authorities on this occasion, who I feel convinced are most desirous of putting an end to the Slave Trade, and are acting with the greatest good faith.

I have, &c.

(Signed) WATSON VREDENBURG.

Inclosure in No. 195.

Vice-Consul Burnett to Acting-Consul Vredenburg.

Sir, *Maceio, January* 4, 1854.

I HAVE the honour to inform you that Her Majesty's steamer "Trident" left this port last week for the neighbourhood of Rio São Francisco, as being the most likely place in this province for the disembarkation of slaves.

It has been rumoured for six weeks back that a small craft was expected from the coast, and would attempt a landing of slaves either at Pebo or the province of Sergipe, adjoining this.

The President and Chief of Police have been very active and energetic in their doings with regard to this affair, since I mentioned the circumstances to them, and they have each assured me most warmly that they will act with resolution and energy in the event of so daring an attempt being made in this province as to land a single slave from the coast of Africa.

A Brazilian brigantine has left this for the neighbourhood of São Francisco to cruize, and I am informed by the President that another is cruizing between Pernambuco and this. A Brazilian schooner of war is in part ready to set sail in the event of any suspicious sail appearing in the offing.

I have further to observe, that the President a fortnight ago chartered a barcossa, or large canoe, of fifteen tons burthen, and sent her with a confidential delegado and soldiers immediately upon hearing a rumour that there was a suspicious craft in the offing of the bar of Penedo, besides which he despatched a company of police soldiers overland to the spot, the suspicious vessel in question turning out to be a vessel with farinha, awaiting orders as to a market.

I have, &c.

(Signed) JAMES BURNETT.

No. 196.

The Earl of Clarendon to Acting-Consul Vredenburg.

Sir, *Foreign Office, February* 25, 1854.

I HAVE received your despatch of the 16th ultimo, reporting that active measures were being taken by the authorities of the province of Alagoas for the purpose of capturing a vessel which was expected to be about to attempt the landing of a cargo of slaves in that province, and I have in reply to inform you that I approve of your having communicated with the President of Pernambuco on this subject; and I have to instruct you to state to his Excellency that Her Majesty's Government have learnt with great satisfaction the energetic proceedings of the Brazilian authorities on this occasion.

I am, &c.
(Signed) CLARENDON.

BRAZIL. *(Consular)—Rio de Janeiro.*

No. 197.

Consul Westwood to Lord John Russell.—(Received March 17.)

My Lord, *Rio de Janeiro, February* 24, 1853.

IN my report, dated 21st February, 1852, on the state of the Slave Trade within the district of this Consulate for the year 1851, I had the satisfaction of making known, that owing to the very stringent measures adopted by the Brazilian Government, the landing of slaves in this neighbourhood had been almost entirely stopped, and it is now with great pleasure that I have to acquaint your Lordship that in consequence of the continued energetic measures employed by the Government, and of the vigilance of the Imperial cruizers and authorities at the outports, the plans and schemes of the slave-traders have been frustrated during the past year.

From the Custom-house returns of arrivals and departures, it appears that the intercourse between this port and the coast of Africa consisted of the following vessels:

Arrivals.

8 vessels under the Portuguese flag.

Departures.

7 vessels under the Portuguese flag,
1 vessel under the American flag.

But I am not aware that any of these vessels were employed in slave-trading transactions, and from the best information I can obtain, I believe that, with the exception of the late landing at Bracuhy of 500 (about forty of whom have up to this date been recaptured), the only slaves imported into this neighbourhood were between 200 and 300 to the northward, which will give a total of about 800 Africans introduced into this province direct from Africa during the year 1852.

This does not include the landing of a cargo that took place at Rio Grande do Sul.

I forward herewith a statement of the quantity and value of the staple productions of slave labour exported during the last year.

I have, &c.

(Signed) JNO. J. C. WESTWOOD.

Inclosure in No. 197.

STATEMENT of the Amount and Value of Exports of the staple productions of Rio de Janeiro, the result of Slave Labour during the year 1852.

Description of Produce.	Quantity.	Sterling value, including Shipping Charges and Duties.	Total.
		£ s. d.	£ s. d.
Coffee	1,906,336 bags	4,265,800 0 0	
Sugar	13,960 cases	160,000 0 0	
Rosewood..	25,500 planks	55,000 0 0	
			4,480,800 0 0
The value of the other articles of produce, such as Hides, Horns, Rice, Tobacco, Tapioca, Rum, Ipecacuanha, &c., exported during the past year cannot be correctly ascertained, but may be estimated at about ..			290,000 0 0
Total value of produce shipped in 1852			4,770,800 0 0

(Signed) JNO. J. C. WESTWOOD,
Rio de Janeiro, February 24, 1853 *Consul.*

No. 198.

Consul Westwood to the Earl of Clarendon.—(*Received June* 13.)

My Lord, *Rio de Janeiro, April* 20, 1853.

I HAVE the honour to report to your Lordship that during the past quarter no vessels are reported to have arrived from the coast of Africa; and I herewith transmit a list of the sailings for Africa during the same period.

I have, &c.
(Signed) JNO. J. C. WESTWOOD.

Inclosure in No. 198.

DEPARTURES from Rio de Janeiro for the Coast of Africa, during the Quarter ending March 31, 1853.

Date.	Description.	Name.	Master.	Nation.	Tonnage.	Crew.	Where bound.	Reported nature of cargo.
January 22	Barque	Schems	— Saubeyroua	French	132	11	Africa	Sundries
„ 28	Brig	Xae Allan	M. M. Walligy	Portuguese	386	33	Bahia and Angola	Ballast
February 1	Ditto	Veloz	F. R. Palha	Ditto	281	16	Pernambuco and Loanda ..	Sundries
March 4	Schooner Brig ..	Rosa	G. J. da Motta	Ditto	239	12	Benguella and Loanda ..	Ditto
„ 13	Schooner ..	Gratidão	C. da Costa Martins ..	Ditto	131	8	Loanda, Benguella, & Lisbon	Ditto

(Signed) JNO. J. C. WESTWOOD, *Consul.*

No. 199.

The Earl of Clarendon to Consul Westwood.

Sir, *Foreign Office, August* 6, 1853.

I TRANSMIT herewith a copy of a despatch* which I have received from Her Majesty's Consul at St. Michael's, pointing out that as the vessels which convey emigrants from the Azores to Brazil, necessarily carry much of the equipment required for the conveyance of slaves, such vessels might, after landing the emigrants, be easily transferred to the Slave Trade.

And I have to instruct you to watch these vessels closely, and if there should be any reason to suspect that they are likely to be employed in bringing negroes from the coast of Africa either to Brazil or to Cuba, you will communicate your information to the British Chargé d'Affaires at Rio de Janeiro, in order that he may be enabled to make a representation thereupon to the Brazilian Government.

I am, &c.
(Signed) CLARENDON.

N.B.—A similar despatch was addressed on the same day to Consul Cowper.

No. 200.

Consul Westwood to the Earl of Clarendon.—(*Received September* 13.)

My Lord, *Rio de Janeiro, July* 20, 1853.

I HAVE the honour to transmit herewith a return of the vessels that are reported to have arrived at this port from the coast of Africa, during the quarter ending 30th ultimo, and a list of the departures for Africa during the same period.

I have, &c.
(Signed) JNO. J. C. WESTWOOD.

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* No. 387.

Inclosure 1 in No. 200.

ARRIVALS at Rio de Janeiro from the Coast of Africa, during the Quarter ending June 30, 1853.

Date.	Description.	Name.	Master.	Nation.	Tonnage.	Crew.	Where from.	Passage.	Reported nature of cargo.
April 13	Brigantine ..	Monte Christo	M. C. Pewern	American	37	6	Loango	Days. 37	Ballast

(Signed) JNO. J. C. WESTWOOD, *Consul.*

Inclosure 2 in No. 200.

DEPARTURES from Rio de Janeiro for the Coast of Africa, during the Quarter ending June 30, 1853.

Date.	Description.	Name.	Master.	Nation.	Tonnage.	Crew.	Where bound.	Reported nature of cargo.
June 3	Brig	Esperança	S. J. Barboza	Portuguese	325	15	Loanda and Benguella ..	Sundries

(Signed) JNO. J. C. WESTWOOD, *Consul.*

No. 201.

Consul Westwood to the Earl of Clarendon.—(*Received October* 15.)

My Lord, *Rio de Janeiro, September* 12, 1853.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch dated the 6th ultimo, transmitting copy of a despatch from Her Majesty's Consul at St. Michael's, pointing out that as the vessels which convey emigrants from the Azores to Brazil, necessarily carry much of the equipment required for the conveyance of slaves, such vessels might, after landing the emigrants, be easily transferred to the Slave Trade, and instructing me to watch these vessels closely.

I shall pay strict attention to your Lordship's instructions, and should there be any reason to suspect that any of these vessels are likely to be employed in the conveyance of negroes from the coast of Africa, either to this coast or to Cuba, I will immediately communicate my information to Her Majesty's Representative at this Court.

I have, &c.
(Signed) JNO. J. C. WESTWOOD.

No. 202.

Consul Westwood to the Earl of Clarendon.—(*Received November* 16.)

My Lord, *Rio de Janeiro, October* 4, 1853.

I HAVE the honour to report to your Lordship, that during the past quarter no vessels are reported to have arrived from the coast of Africa; and I herewith transmit a list of the sailings for Africa during the same period.

I have, &c.
(Signed) JNO. J. C. WESTWOOD.

Inclosure in No. 202.

DEPARTURES from Rio de Janeiro for the Coast of Africa, during the Quarter ending September 30, 1853.

Date.	Description.	Name.	Master.	Nation.	Tonnage.	Crew.	Where bound.	Reported nature of cargo.
July 7	Brig	Onze de Marco	J. G. de Mendonca ..	Portuguese	405	16	Loanda and Benguella ..	Sundries

(Signed) JNO. J. C. WESTWOOD, *Consul.*

No. 203.

Consul Westwood to the Earl of Clarendon.—(*Received January* 16, 1854.)

My Lord, *Rio de Janeiro, December* 12, 1853.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 22nd October last, transmitting a copy of the report and its appendix, which have been presented to the House of Commons by the Select Committee of that House which was appointed to inquire into the Treaties and Engagements between Great Britain, Spain, and Portugal respecting the Slave Trade.

I have, &c.

(Signed) JNO. J. C. WESTWOOD.

No. 204.

Consul Westwood to the Earl of Clarendon.—(*Received February* 15.)

My Lord, *Rio de Janeiro, January* 10, 1854.

I HAVE the honour to transmit herewith a return of the vessels that are reported to have arrived from the coast of Africa during the past quarter, and also a list of the departures for Africa during the same period.

I have, &c.

(Signed) JNO. J. C. WESTWOOD.

Inclosure 1 in No. 204.

ARRIVALS at Rio de Janeiro from the Coast of Africa, during the Quarter ending December 31, 1853.

Date.	Description.	Name.	Master.	Nation.	Tonnage.	Crew.	Where from.	Passage.	Reported nature of cargo.
October 2	Brig	Xae Alan	M. B. Mussagy ..	Portuguese.. ..	267	33	Loanda	Days. 32	Sundries

(Signed) JNO. J. C. WESTWOOD, *Consul.*

Inclosure 2 in No. 204.

DEPARTURES from Rio de Janeiro for the Coast of Africa, during the Quarter ending December 31, 1853.

Date.	Description.	Name.	Master.	Nation.	Tonnage.	Crew.	Where bound.	Reported nature of cargo.
October 25	Ship	Cyrce	F. A. H. de Souza ..	Portuguese.. ..	325	15	Loanda and Benguella ..	Sundries
„ 31	Schooner ..	Ceres	J. V. Pereira	Ditto	106	9	Loanda	Ditto
November 23	Barque	Schems	F. Ponbeyreaux.. ..	French	106	9	Gabon	Ballast
„ 29	Brig .. .	Xae Alan	M. B. Mussagy ..	Portuguese.. ..	386	30	Damão and Moçambique ..	Sundries

(Signed) JNO. J. C. WESTWOOD, *Consul.*

No. 205.

Consul Westwood to the Earl of Clarendon.—(*Received March* 17.)

My Lord, *Rio de Janeiro, January* 20, 1854.

I HAVE the honour to transmit herewith a return, showing the prices of slaves in this province during the past year.

A return of this description must necessarily admit of a wide margin in prices, arising from the variety of circumstances under which slaves are disposed of, their ages, state of health, abilities, &c.; and although the prices stated in the inclosed paper show a very considerable advance on former returns, I am convinced that the same are rather under estimated than otherwise.

The general criterion in former years for fixing the value of slaves was the price given for Bozal or untaught African slaves, but as none were (to the best of my knowledge) imported direct from Africa during last year, it is much more difficult to ascertain the correct value of the different classes.

The value of slaves with trades must of course be estimated at a much higher price than the other classes, and it is now nothing uncommon for an owner to ask Rs. 2,000$000, or 233*l.*, for a good mechanic.

I have, &c.

(Signed) JNO. J. C. WESTWOOD.

Inclosure in No. 205.

PAPER showing the Price of Slaves in the Province of Rio de Janeiro during the year 1853, as far as can be ascertained by Her Majesty's Consul at Rio de Janeiro.

Class of Slaves.	Price of Slaves.		Remarks.
	In Currency.	In Sterling.	
		£ s. d. £ s. d.	
Agricultural.			
Males	Rs. 900$000 to Rs. 1,000$000	105 0 0 to 116 13 4	
Females ..	„ 800$000 „ 900$000	93 6 8 105 0 0	
Mining.			
Males	About the same as Agricultural, but as I can hear of no purchases for Mining purposes, no certain price can be stated.		
Females ..			
Domestic.			
Males	Rs. 1,000$000 to Rs. 1,400$000	116 13 4 to 163 6 8	
Females ..	„ 1,000$000 „ 1,400$000	116 13 4 163 6 8	
Newly Imported.	None imported during 1853		Bozal, or newly imported African Slaves would easily fetch the prices quoted for Agricultural hands.
Males			
Females ..			

The Exchange at which the above calculations are made is 2*s.* 4*d.* per milrea.

(Signed) JNO. J. C. WESTWOOD, *Consul.*

Rio de Janeiro, January 20, 1854.

No. 206.

Consul Westwood to the Earl of Clarendon.—(*Received* March 17.)

My Lord, *Rio de Janeiro, January* 20, 1854.

I HAVE much satisfaction in reporting to your Lordship, that during the last year no slaves were (as far as I can ascertain) landed in this province, direct from the coast of Africa.

A number of slaves were introduced into this port during the year coastwise, principally from Bahia; but they came in regular passenger conveyances, and appeared to be all furnished with proper passports.

I inclose a return showing the quantity and value of the staple productions during the year 1853.

I have, &c.
(Signed) JNO. J. C. WESTWOOD.

Inclosure in No. 206.

STATEMENT of the Amount and Value of Exports of staple productions of Rio de Janeiro, the result of Slave Labour during the year 1853.

Description of Produce.	Quantity.	Sterling value, including Shipping Charges and Duties.	Total.
		£ s. d.	£ s. d.
Coffee	1,639,215 bags	4,425,800 0 0	
Sugar	8,326 cases	92,000 0 0	
Rosewood..	34,728 planks	85,800 0 0	
			4,603,600 0 0
The value of the other Articles of Produce, such as Hides, Horns, Rice, Tapioca, Rum, Tobacco, Ipecacuanha, &c., exported during the past year may be estimated at about			460,000 0 0
Total value of produce shipped in 1853			5,063,600 0 0

(Signed) JNO. J. C. WESTWOOD, *Consul.*
Rio de Janeiro, January 20, 1854.

BRAZIL. (*Consular*)—*Rio Grande do Sul.*

No. 207.

Consul Vereker to the Earl of Clarendon.—(*Received August* 13.)

My Lord, *Rio Grande do Sul, June* 30, 1853.

I HAVE the honour to inclose a return of the average prices of slaves within the district of this Consulate during the six months ending this day.

I have, &c.

(Signed) H. P. VEREKER.

Inclosure in No. 207.

RETURN showing the average Price of Slaves in the Province of Rio Grande do Sul, Brazil, during the six months ending June 30, 1853.

Class of Slaves.	Price in Foreign Currency.	Price in British Sterling.	Remarks.
Agricultural.		£ s. d.	
Males	Rs. 740$000	81 14 2	
Females	„ 670$000	73 19 7	Few employed except for work within doors.
Mining.			
Males	.. ..	.. ..	No such regular branch of employment.
Females	.. ..	.. ..	None.
Domestic.			
Males	„ 830$000	91 12 11	
Females	„ 770$000	85 0 5	
Newly Imported.			
Males	.. ..	.. ..	None imported during the last six months.
Females	.. ..	.. ..	

Exchange at 2*s.* 2½*d.* per milreis.

(Signed) H. P. VEREKER,
Consul.

British Consulate,
Rio Grande do Sul, June 30, 1853.

No. 208.

Consul Vereker to the Earl of Clarendon.—(*Received February* 15.)

My Lord, *Rio Grande do Sul, June* 30, 1853.

I HAVE the honour to state, that during the last twelve months there has been no renewal of the Slave Trade upon the coast of this province, and the practice of introducing newly-imported negroes from Bahia and the northern ports has been, during this period, discontinued, as it appears, in consequence of the rise in the price of slaves northwards, as compared with the price in this province.

In the early part of 1852, there were landed on the upper coast of the province, a cargo of negroes from Africa, which it was intended by the dealers should have been followed by other similar attempts; the speculation, however, proved an unprofitable one, chiefly in consequence of the activity of the police authorities; and the other cargoes expected were reported to have been landed in the provinces of San Paulo and Rio de Janeiro, instead of being brought, as originally intended, here.

During the preceding six months of this year, no notable change has occurred in the number of slaves in this district; but from July to December, 1852, many slaves were exported from hence to Rio de Janeiro, in consequence of the comparatively high prices at that place, and no corresponding importation took place; the whole number of slaves in this province must therefore be considered to have diminished during the twelve months, as the births with this class of people are not believed to exceed the deaths.

It may be presumed, that any measures for the total abolition of slavery in Brazil will have their origin in this province, where free labour is more attainable, and the proportion of negro population less marked than in other provinces; it is therefore interesting to consider the views entertained on this subject.

Although Brazilians are naturally very reserved with regard to the question of slavery, and it is difficult to ascertain their real sentiments, yet the feeling of enlightened men in this province, with whom I have conversed, appears usually to be in favour of the repression of the Slave Trade—I mean the importation of slaves, though opposed to the abolition of slavery: the former measure implies an increase in the price of slaves, thus giving their owners a present and certain benefit, by enhancing the value of their property; and as the possessions of the Brazilians consist usually in a large proportion, and sometimes altogether of slaves, their present interests seem to influence them more than the contingent and uncertain advantages they might obtain by an increase in the number of slaves. The abolition of slavery, on the other hand, they are apt to consider would involve the injury of all slave owners, and the total ruin of some; seemingly not reflecting that a measure might, without difficulty, be framed, which, whilst protecting during their lives the interests of present possessors might, by causing the freeing of slaves to be spread over a number of years, effect the required change in a manner so gradual as not to inflict sensible damage on any parties.

The natives are beginning to discover that they can beneficially substitute slave labour by that of free persons; and as the persons who derive an immediate profit by the importation of slaves, are numerically few, chiefly Portuguese, their opinions cannot be supposed to have much weight in regulating public opinion on this subject.

The President of this province, Senhor Cansausão Sinimbri, is, according to his declared opinions, a determined opponent to the Slave Trade, and anxious for the increased immigration of Europeans; and if a large measure for the introduction of free immigrant labour was successfully acted upon, it seems reasonable to suppose that a favourable change in the existing feeling respecting slavery might supervene. However, there are many difficulties in the way of that sort of immigration which would be calculated to diminish the predilection for slavery; one difficulty arises from the system adopted of forming the immigrants into separate colonies, by which measure they become virtually, with regard to the demand for labour, independent communities, and do not enter into competition with slaves in the general labour market; another results from the preference usually given by employers to slaves, in consequence of the

certainty with which such labour can be calculated on, specially when the slaves belong to the employer, but even also when they they are hired, for the wages of such persons being regulated in a manner by general consent, the employer of slaves knows that by giving certain wages he can retain slaves in his employment as long as he desires, or substitute them by others at the same wages; but with free labour the case is very different, for, in this part of the world, the speculative attractions are so great, and the demands for labour so variable, that an intelligent European of the lower class rarely finds it his interest to remain in one employment for any lengthened period. An employer therefore who relies on such labour, will often find a difficulty in replacing such as may leave him, for there is not a sufficient supply of free labour to convey the certainty of its being always attainable, much less to create competition. Thus, the absence of a sufficient immigration surely encourages a further dependence on slavery, and the existence of slavery scares away immigrants. These two causes, therefore —the existence of slavery and the absence of immigration—react each on the other; each tending to perpetuate the other, and, unitedly, showing that the solution of these questions touching the abolition of slavery may yet for a long period be postponed.

As I am aware of the interest Her Majesty's Government take in these questions, I trust the above observations, made with the view of bringing before your Lordship the actual circumstances of this province regarding them, will not be deemed intrusive.

I have, &c.
(Signed) H. P. VEREKER.

No. 209.

Consul Vereker to the Earl of Clarendon.—(*Received February* 15, 1854.)

My Lord, *Rio Grande do Sul, December* 31, 1853.

I HAVE the honour to inclose a return of the average prices of slaves within the district of this Consulate during the six months ending this day.

I have, &c.
(Signed) H. P. VEREKER.

Inclosure in No. 209.

RETURN showing the average Price of Slaves in the Province of Rio Grande do Sul, Brazil, during the six months ending December 31, 1853.

Class of Slaves.	Price in Foreign Currency.	Price in British Sterling.	Remarks.
Agricultural.		£ s. d.	
Males	Rs. 720$000	78 0 0	
Females	„ 680$000	73 13 4	
Mining.			
Males	.. ..	.. ..	No such regular branch of employment.
Females	.. ..	.. ..	
Domestic.			
Males	„ 780$000	84 10 0	
Females	„ 740$000	80 3 4	
Newly Imported.			
Males	.. ..	.. ..	None imported within the past six months.
Females	.. ..	.. ..	

Exchange at 2*s.* 2*d.* per milreis.

(Signed) H. P. VEREKER,
Consul.

British Consulate,
Rio Grande do Sul, December 31, 1853.

No. 210.

Consul Vereker to the Earl of Clarendon.—(*Received February* 15, 1854.)

My Lord, *Rio Grande do Sul, December* 31, 1853.

I HAVE endeavoured to test the diminution of slavery in this province during the past six months, by retaining an account of the passengers (exclusive of soldiers) who have arrived or departed by this port during that period; and now have the honour to inclose a return on the subject.

Although the movement of the population is small, yet this return will show that the tendency is towards a diminution of slavery; the number of slaves having been reduced by 98, whilst the number of free persons has increased by 492 during the same period.

I have, &c.
(Signed) H. P. VEREKER.

Inclosure in No. 210.

RETURN showing the change of Population in the Province of Rio Grande do Sul by the Arrivals and Departures through the Port of Rio Grande do Sul during the six months ending December 31, 1853.

British Subjects.

Arrived	13
Departed	20
Decrease of British Subjects in Province	7

Free Foreigners (excluding Soldiers).

Arrived	998
Departed	499
Increase of Free Foreigners in Province	499

Slaves accompanying their Masters.

Arrived	36
Departed	39
Decrease of Slaves in Province	3

Slaves for Sale.

Arrived	20
Departed	115
Decrease of Slaves in Province	95

Total Decrease in Slavery during six months by slaves leaving Province 98

(Signed) H. P. VEREKER,
Consul.

British Consulate,
Rio Grande do Sul, December 31, 1853.

BRAZIL. (*Consular*)—*St. Catherine's.*

No. 211.

Consul Callander to Lord John Russell.—(*Received May* 17.)

My Lord, *St. Catherine's, April* 2, 1853.

I HAVE the honour to transmit herewith copies of correspondence, which will apprize your Lordship of the departure from here, and the subsequent detention and sending to Rio de Janeiro, by authority of the President of this province, of the Brazilian whaling-barque "*Sem Igual*," which was denounced to his Excellency on the 1st of January as being intended for slave-trading.

The investigations which take place at Rio will, I suppose, finally determine any existing doubts as to the real character and intentions of that vessel.

I have, &c.
(Signed) RANDAL CALLANDER.

Inclosure 1 in No. 211.

Consul Callander to Mr. Jerningham.

Sir, *St. Catherine's, March* 11, 1853.

I HAVE the honour to report that Her Majesty's brig "Bonetta" arrived at Santa Cruz on the 9th instant.

Lieutenant Commander Wake having communicated with me, I addressed him officially respecting the "*Sem Igual;*" copy of letter is herewith inclosed.

That vessel left this anchorage at the time the "Bonetta" was signalized coming into Santa Cruz.

I have, &c.
(Signed) RANDAL CALLANDER.

Inclosure 2 in No. 211.

Consul Callander to Commander Wake.

Sir, *St. Catherine's, March* 10, 1853.

I BEG to acquaint you that, from information received by me, there is reason to suspect that a Brazilian whaling-barque, the "*Sem Igual*," of Bahia, is intended for slave-trading. She arrived here on the 23rd of December last, and sailed yesterday, it is said to water at Santa Cruz.

I inclose, for your information, copy of a deposition made to me respecting her by Michael Mac Donnald, the whaling mate; and also copy of extracts from a journal which he kept of her voyage.

I consider that the movements of this vessel ought to be watched, and the requisite measures taken to frustrate her slave-trading intentions, as you may deem most advisable.

I have, &c.
(Signed) RANDAL CALLANDER.

Inclosure 3 in No. 211.

Consul Callander to Mr. Jerningham.

Sir *St. Catherine's, April* 2, 1853.

I HAVE the honour to acquaint you that the Brazilian whaling-barque "*Sem Igual,*" which sailed from here on the 9th ultimo, has deen detained and sent to Rio de Janeiro by authority of the President of this province.

I am not aware of the exact cause which led to that step. It having been publicly reported here that Her Majesty's brigantine the "Bonetta," which happened to be in the neighbourhood at the time, was only waiting for an opportunity to seize and burn the "*Sem Igual;*" and the commander of the Brazilian Government vessel stationed here is said to have remarked, that if she (the "*Sem Igual*") was not at once taken charge of by the Imperial Government, she would be taken by the "Bonetta;" and hearing it also reported that her detention was in consequence of some new information having been given to the President respecting her real intentions, I considered it my duty, to arrive at the truth of those statements, to request the President to acquaint me, for the information of Her Majesty's Government, if she had been detained in consequence of any infringement of the laws relating to slave-trading. I addressed him on the 29th ultimo; copy of my letter is herewith inclosed, together with his Excellency's reply, wherein he states that, having given to the Imperial Government, confidentially, the motives which had induced him to send that vessel to Rio de Janeiro, he was unable to satisfy my request; I therefore cannot state whether she was detained for infraction of the laws relating to slave-trading, or to prevent her from being captured by Her Majesty's cruizers.

I have, &c.

(Signed) RANDAL CALLANDER.

Inclosure 4 in No. 211.

Consul Callander to the President of the Province of St. Catherine's.

Excellent Sir, *St. Catherine's, March* 29, 1853.

HAVING learned that the national whaling barque "*Sem Igual,*" which sailed from here on the 9th instant, has been detained, and sent to Rio de Janeiro by authority of your Excellency, I have the honour to request that your Excellency will be good enough to let me know, for the information of the Government of Her Britannic Majesty, if such detention took place from any infringement by that vessel of the Imperial law, or the Convention between the Empire of Brazil and Great Britain for the suppression of slave-trading.

I have, &c.

(Signed) RANDAL CALLANDER.

Inclosure 5 in No. 211.

The President of the Province of St. Catherine's to Consul Callander.

(Translation.) *Presidency of the Province of Santa Catharina, March* 30, 1853.

THE Undersigned, President of the province of Santa Catharina, has the satisfaction to acknowledge the receipt to-day of Her Britannic Majesty's Consul's despatch of yesterday's date, asking that he would communicate to him, for the information of the Government of Her Britannic Majesty, if the detention of the national barque "*Sem Igual*" took place for infraction of the Imperial law, or of the Convention between Brazil and Great Britain for the suppression of the Traffic of Slaves.

The Undersigned, having given to the Government of His Imperial Majesty, confidentially, the motives which he had for sending the barque "*Sem Igual*" to the Court, is sorry he cannot satisfy what the Consul asks.

The Undersigned, &c.

(Signed) JOAO JOSE COUTINHO

No. 212.

Consul Callander to the Earl of Clarendon.—(*Received September* 15.)

My Lord, *St. Catherine's, August* 5, 1853.

I HAVE the honour to inform your Lordship that I am told that there are two vessels fitting out at Monte Video, intended for the Slave Trade. They are to go further up the river to take in their water, and then proceed to the coast of Africa. I cannot learn their names, or what flag they sail under.

On the 29th ultimo, a schooner under Spanish colours hove to off this harbour, and afterwards anchored, remaining about five hours. She reported from Havana, bound to Monte Video, with a small cargo of aguardiente and other trifling articles. The master gave out he was going to Havana, with a cargo of jerked beef. She is called the "*Pepa.*" I have not heard anything suspicious said about her, but believe it right to report the circumstance.

Some time ago I was informed that four slavers, which sailed from here to the coast of Africa in 1851, had got safely to Cuba, and landed their slave-cargoes, and that part of the crews had returned here. As I had other information at the same time, which turned out to be incorrect, I delayed reporting this till I could gain more particulars. However, I have only been able to obtain confirmation of the fact, and that one of the slavers was commanded by an individual named Sumares.

I have communicated the intelligence I have received to Her Majesty's Chargé d'Affaires at Rio de Janeiro.

I have, &c.

(Signed) RANDAL CALLANDER.

No. 213.

Consul Callander to the Earl of Clarendon.—(*Received February* 15, 1854.)

(Extract.) *St. Catherine's, December*, 31, 1853.

I HAVE the honour to report that no slaves have been imported into this province during the year ending this day.

A considerable exportation of slaves is taking place to Rio de Janeiro, in consequence of the great demand existing there. The provincial Assembly has passed a Decree, raising the tax of 30 milreis (3*l.* 15*s.* sterling) to 50 milreis (6*l.* 5*s.* sterling) on each slave exported from the province.

I have heard some rumours of vessels fitting out in the province, but they were of so very vague a nature that I did not feel myself authorized in reporting them.

No. 214.

Consul Callander to the Earl of Clarendon.—(*Received March* 17.)

My Lord, *St. Catherine's, February* 4, 1854.

IN my despatch of the 31st of December last, I stated that the provincial Assembly had passed a Decree raising a tax of 30 milreis on each slave exported from the province to 50 milreis. I beg to be allowed to correct that statement. The tax was increased to 40 milreis only (5*l.*), though 50 milreis was the impost originally proposed to be levied.

I have the honour to inclose a return of the average prices of slaves in this province during the past year.

I have, &c.
(Signed) RANDAL CALLANDER.

Inclosure in No. 214.

RETURN of the prices of Slaves in the Province of St Catherine's during the year ending December 31, 1853.

Males .	Rs. 700$000 to Rs. 800$000
Females .	Rs. 550$000 to Rs. 650$000

At 2*s.* 6*d.* per milreis:—

Males .	£87 10*s.* 0*d.* to £100 0*s.* 0*d.*
Females.	£68 15*s.* 0*d.* to £ 81 5*s.* 0*d.*

(Signed) RANDAL CALLANDER,
Consul.

British Consulate, St. Catherine's, December 31, 1853.

FRANCE.

No. 215.

The Earl of Clarendon to Count Walewski.

M. le Comte, *Foreign Office, April* 18, 1853.

WITH reference to your Excellency's letter of the 28th of February last, respecting the case of the French vessel "*Marabout,*" which was detained by Her Majesty's ship "Rose" in 1841, on suspicion of being engaged in Slave Trade, I have to inform your Excellency that Her Majesty's Government think it indispensable that, before taking any further steps in the matter, they should be made acquainted with the amount of the damages which are claimed by the parties interested in that case, under the judgment of the Court of Appeal of Bordeaux; and I have accordingly to request that your Excellency will have the goodness to communicate to me this information.

I am, &c.
(Signed) CLARENDON.

No. 216.

The Earl of Clarendon to Lord Cowley.

My Lord, *Foreign Office, May* 2, 1853.

IN accordance with the agreement which was entered into between the Governments of Great Britain and France, in the year 1848, to communicate to each other, at the conclusion of each year, a return of the vessels captured by their respective squadrons employed on the west coast of Africa in the suppression of the Slave Trade, under the Convention of 1845, I transmit to your Lordship herewith, for communication to the French Government, a return drawn up in the form agreed upon of the captures made by Her Majesty's squadron during the year 1851.

I am, &c.
(Signed) CLARENDON.

Inclosure 1 in No. 216.

RETURN of VESSELS captured on the ground of Slave Trade or Piracy, by the British Squadron employed on the West Coast of Africa, under the Convention of the 29th May, 1845, between Great Britain and France, for the suppression of the Slave Trade, between 1st January and 23rd May, 1851.

Name and Description of Captured Vessel.	Flag under which captured Vessel was sailing.	Names of Master and Owners of Captured Vessel.	Number of Crew.	Date of Seizure.	Where captured.	Name and Rank of Captor and Name of Capturing Ship.	Number of Slaves captured.	Number died before adjudication.	Number Total emancipated.	Tonnage of Captured Vessel.	Before what Court adjudicated, and on what charge.	Decretal part of Sentence, whether Forfeiture or Restitution.	How Captured Vessel was disposed of.	Remarks.
Unknown (Schooner)	None.	Not known	17	1851 Jan. 18	Lat. Long. Off Porto Novo	Captain J. Adams, H. M. ship "Gladiator."	None	None	None	195	Vessel burnt by Captors, portions being sent to St. Helena.—Being engaged in the Slave Trade.	Forfeiture	Burnt by Captors.	
Unknown (Brig) ...	None.	José Mora, Master, Owner unknown	9	Feb. 16	3° 45′ S. 10° 45′ E.	Commander McFalcon, H. M. ship "Wolverine"	371	265	106	181	Vice Admiralty Court, Sierra Leone.—Being engaged in the Slave Trade.	Ditto	Broken up and sold.	
Three Cabenda boats	None.	Not known	10	May 5	Off Little Loango	Ditto	97	5	92	About 25 tons each	Vice Admiralty Court, St. Helena.—Being engaged in the Slave Trade.	Ditto	Destroyed by Captors.	

(Signed) H. W. BRUCE, *Rear-Admiral and Commander-in-Chief.*

Inclosure 2 in No. 216.

Return of Vessels captured on the ground of Slave Trade or Piracy, by the British Squadron employed on the West Coast of Africa, under the Convention of the 29th May, 1845, between Great Britain and France, for the suppression of the Slave Trade, from the 24th May, 1851, to the 31st December, 1851.

Name and Description of Captured Vessel.	Flag under which captured Vessel was sailing.	Names of Master and Owners of Captured Vessel.	Number of Crew.	Date of Seizure.	Where Captured.	Name and Rank of Captor and Name of Capturing Ship.	Number of Slaves captured.	Number died before adjudication.	Total Number emancipated.	Tonnage of Captured Vessel.	Before what Court adjudicated, and on what charge.	Decretal part of Sentence, whether Forfeiture or Restitution.	How Captured Vessel was disposed of.	Remarks.
Isabel (Schooner) ...	Uruguayan ...	M. P. de Castro, Master. Owner unknown	12	1851 June 19	Lat. 6° 50′ N. Long. 12°10′ W	Commander Thos. Etheridge, H. M. ship "Penguin"	E	quippe	d.	48	Vice Admiralty Court, Sierra Leone.—Being engaged in the Slave Trade.	Forfeiture	Broken up and sold.	
Unknown (brig) ...	None.	Unknown.	Escaped.	June 25	Cape St. Bras	Commander E. H. Beauchamp, H. M. steam-ship "Hecla"	E	quippe	d.	242	Vice Admiralty Court, St. Helena.—Being engaged in the Slave Trade	Ditto	Run on shore by her own crew and destroyed.	
Deseada (Schooner)	None.	Unknown.	10	July 7	4° 30′ N. 7° 3′ E.	Lieutenant C. J. Didham, H. M. steam-vessel "Blood-hound," tender to H. M. ship "Sampson"	2	—	2	130	Vice Admiralty Court Sierra Leone.—Being engaged in the Slave Trade	Ditto	Broken up and sold.	
Pepita (Brig)	None	J. Rodrigues, Master. Owner unknown	22	July 14	Off Fish Town.	Commander G. E. Patey, H. M. ship "Flying Fish."	E	quippe	d.	111	Ditto	Ditto	Ditto.	
A Cabinda boat	None.	Unknown.	—	Sept. 10	Off Cabenda	Captain J. Adams, H. M. ship "Gladiator"	—	—	—	10	Vice Admiralty Court, St. Helena.—Having a Slave cargo on board.	Ditto	Destroyed.	
Purissima (Felucca)	None.	Unknown.	12	Oct. 10	5° 32′ N. 4° 26′ E.	Captain L. T. Jones, H. M. ship "Sampson"	E	quippe	d.	67	This Vessel was lost, with two Officers and the Prize crew, prior to being adjudicated in any Court.	——	——	
Two Native Canoes	None.	Unknown.	17	Nov. 3	8° 30′ N. 13° 45′ W.	Lieutenant H. Beresford, H. M. brigantine "Spy"	55	—	55	—	Vice Admiralty Court, Sierra Leone.—Being engaged in the Slave Trade	Forfeiture	Destroyed.	
A Launch	None.	Unknown.	5	Dec. 7	Off Cape Lopez	Commander Geo. Lavie, H. M. steam-ship "Alecto"	64	1	63	25	Ditto	Ditto	Ditto.	

(Signed) H. W. BRUCE, *Rear-Admiral and Commander-in-Chief.*

No. 217.

Count Walewski to the Earl of Clarendon.—(Received May 9.)

M. le Comte, *Londres, le 7 Mai,* 1853.

EN réponse à la communication que je lui avais faite au sujet d'un acte arbitraire commis par le bateau-à-vapeur de la marine de Sa Majesté Britannique le "Volcano," contre le navire de commerce Français "*l'Eliza*," Lord Palmerston m'a fait l'honneur de m'annoncer le 20 Octobre, 1851, que le Gouvernement de Sa Majesté Britannique avait décidé "qu'une indemnité était due au propriétaire de '*l'Eliza*' pour les pertes éprouvées en conséquence de la détention de ce bâtiment."

Plus tard, Lord Malmesbury m'a fait connaître, par une lettre en date du 19 Août, 1852, que les Lords de la Trésorerie, ayant examiné la réclamation, suggéraient l'idée de laisser la Cour de Vice-Amirauté de Sierra Leone statuer sur cette affaire et fixer le chiffre de l'indemnité qu'il y aurait lieu d'allouer.

Le Gouvernement de Sa Majesté Impériale, après mûre considération, ne croit pas pouvoir accéder à la suggestion des Lords de la Trésorerie. La nature même de l'affaire ne lui paraît pas permettre qu'elle reçoive devant ce tribunal la suite nécessaire. Le commandant du "Volcano," en arrêtant indûment le navire "*l'Eliza*" comme suspect de servir à la Traite des Noirs, a commis un acte qui ne ressort pas de la justice ordinaire; il a contrevenu à la Convention du 29 Mai, 1845, par laquelle les navires Français se trouvent replacés sous la surveillance exclusive de notre propre croisière; les réclamations qu'il a ainsi suscitées doivent donc être maintenues dans le domaine du droit international.

Je viens en conséquence prier votre Excellence de vouloir bien recommander de nouveau cette affaire à l'attention des Lords de la Trésorerie, et de me faire connaître, aussitôt qu'il aura été fixé, le chiffre de l'indemnité que leurs Seigneuries auront trouvé équitable d'allouer au propriétaire de "*l'Eliza*."

J'ai, &c.

(Signé) WALEWSKI.

No. 218.

The Earl of Clarendon to Count Walewski.

M. le Comte, *Foreign Office, May* 17, 1853.

I HAVE the honour to acknowledge the receipt of your Excellency's letter of the 7th instant, respecting the amount of compensation due to the owners of the French brigantine "*Eliza*," on account of the detention of that vessel in May, 1851, by Her Majesty's ship "Volcano."

I have to inform you in reply that I have referred your letter in question to the Lords of Her Majesty s Treasury, for their immediate consideration; and as soon as their Lordships' decision shall be made known to me, I shall have the honour of communicating it to your Excellency.

I am, &c.

(Signed) CLARENDON.

No. 219.

The Earl of Clarendon to Lord Cowley.

My Lord, *Foreign Office, June* 8, 1853.

I TRANSMIT to your Lordship herewith, for communication to the French Government, copies of two Treaties* for the suppression of Slave Trade, for the promotion of commerce, for the abolition of human sacrifices, and for the protection of Christian missionaries, which have been concluded

* Inclosures 2 and 4 in No. 113, Class A.

by Commander Wilmot, of Her Majesty's ship "Harlequin," with the native Chiefs of Zanga Tanga and Cape Lopez, and with the King and Chiefs of Cabenda, on the west coast of Africa; in which Treaties an Article has been inserted, in pursuance of the stipulation of the 5th Article of the Convention of the 29th of May, 1845, providing that the French Government shall be at liberty to accede thereto, if they should think fit to do so.

I am, &c.
(Signed) CLARENDON.

No. 220.

Count Walewski to the Earl of Clarendon.—(*Received June* 25.)

M. le Comte, *Londres, le* 24 *Juin*, 1853.

D'APRES la lettre que votre Excellence m'a fait l'honneur de m'écrire en date du 18 Avril dernier, j'ai prié mon Gouvernement de me faire connaître le chiffre de la somme que réclameraient du Gouvernement de Sa Majesté Britannique les armateurs du "*Marabout*." Je viens de recevoir, et j'ai l'honneur de transmettre ci-joint à votre Excellence, copie d'une lettre que les intéressés ont adressée récemment à M. le Ministre des Affaires Etrangères, pour lui annoncer qu'ils réduisaient leur demande primitive de 259,641fr. à 212,914 fr. Votre Excellence trouvera également ci-joint, copie des états de pertes et dommages occasionnés aux armateurs par la détention du "*Marabout*," et sur lesquels ils basent leur réclamation actuelle.

Je crois pouvoir prendre sur moi d'ajouter que les intéressés consentiraient, à titre de transaction, à réduire de 25 pour cent leur créance principale, ce qui la ramenerait, de 259,641 fr. à 194,731 fr., auxquels s'ajouteraient les intérêts à compter du jour de la demande en justice jusqu'à celui du paiement, ainsi que les frais de première instance et d'appel auxquels a été condamné le Capitaine Christie.

Je prie votre Excellence de vouloir bien me faire connaître la suite qui sera donnée à cette demande, et

Je saisis, &c.
(Signé) WALEWSKI.

Inclosure 1 in No. 220.

*The Owners of the "*Marabout*" to M. Drouyn de Lhuys.*

Monseigneur, *Nantes, le* 14 *Mai*, 1853.

NOUS avons reçu la lettre que vous avez fait à l'un de nous l'honneur de lui écrire le 28 Avril dernier, relativement à l'affaire du "*Marabout*," et conformément à l'invitation que vous voulez bien nous faire, nous avons l'honneur de vous remettre l'état des dommages-intérêts dont nous fesons la demande au Gouvernement Anglais en la personne de M. le Capitaine Christie.

Cet état, qui s'élève à 202,914f. 87c. valeur 14 Décembre, 1841, date de la demande en justice, comprend et les dommages dûs à l'armement du "*Marabout*," et les dommages dûs aux négociants de Bahia qui avaient chargé à fret sur ce navire. Nous avons les pouvoirs de ces derniers.

Vous voudrez bien remarquer, Monseigneur, que dans ce nouvel état de dommages-intérêts, nous nous sommes appliqués avec soin à nous conformer à l'arrêt de la Cour Impériale de Bordeaux, en date du 24 Mai, 1852, qui, déclarant la capture du "*Marabout*" faite avec des motifs suffisants de suspicion, laisse à notre charge les dommages qui en ont été la suite. Nous n'avons reproduit, conformément au susdit arrêt, que ceux dérivant forcément de la privation de l'équipage, et ce sont de beaucoup les plus importants. En effet, si le "*Marabout*" n'avait pas été privé de son équipage, on aurait évité à Cayenne la vente si désastreuse de la cargaison destinée à la côte d'Afrique; on aurait porté cette cargaison à la côte, où l'on réalise un bénéfice toujours élevé, car il est la compensation de frais d'armement coûteux que nous gardons à notre charge; puis

enfin, on aurait introduit à Nantes une cargaison d'huile de palme, qui était vendu d'avance à un prix exceptionnel.

	F.	c.
Notre demande primitive s'élevait à .	259,641	87
Notre demande actuelle est réduite à .	202,914	87
Différence s'appliquant au fait de la capture	56,727	00

Nous joignons à notre état de dommages-intérêts deux pièces extraites de notre dossier, et qui sont nécessaires à l'intelligence des Articles I et II, relatifs à la vente publique de la cargaison du "*Marabout*" à Cayenne, et au bénéfice que l'on eût réalisé à la côté d'Afrique: elles portent les numéros 1° côté 9 et 4 côté S.

Nous nous bornons à ces deux pièces, car s'il fallait entrer dans une discussion de chiffres, on ne pourrait le faire utilement qu'avec le dossier complet, qui est très volumineux.

Nous sommes, &c.,

(Signé) *Les Liquidateurs,* L. LEPERTIERE,
C. FOURCADE,
MOSNERON DUPIN,
L. LEPERTIERE,

Le Mandataire des héritiers, P. Le Roy.

Inclosure 2 in No. 220.

Accounts relative to the "Marabout."

Nouvel état de dommages-intérêts dressé en conformité de l'arrêt de la Cour Impériale de Bordeaux, en date du 24 Mai, 1852.

Numéros de l'état primitif.		Fr. c.	Fr. c.
1.	Le "*Marabout*," privé de son équipage, n'a pu poursuivre son voyage, et le Capitaine Déjoie a été obligé de faire à Cayenne la vente des marchandises formant son chargement. Cette cargaison se composait de deux sortes de marchandises, les marchandises de l'armement, et celles chargés à fret par divers négocians de Bahia. Les marchandises de l'armement se montent, suivant facture de MM. Gex et Decosterol, Frères, de Bahia, à .. 34,634fr. 50c.		
	mais nous les réduisons à	24,288 79	
	à cause de la détérioration survenue aux tabacs en mangottes, par le fait seul de la capture; perte laissée à notre charge par l'arrêt du 24 Mai, 1852.		
	Les marchandises chargées à fret par divers négocians se montent, suivant facture, à .. .. .. 65,122fr. 68c.		
	mais nous les réduisons à	56,550 27	
	par la même cause que dessus.		
	(Voir la pièce No. 40, Côté 9.)		
	Total des factures ainsi réduites	80,839 06	
	Or le produit de la vente publique de ces marchandises à Cayenne ne s'est élevé, apert le procès-verbal de l'encanteur, en date du 13 Décembre, 1841, qu'à la somme de 19,751fr. 60c., dont 8,867fr. 70c. pour les marchandises de l'armement, et 10,883fr. 90c. pour les marchandises des chargeurs, ci	19,751 60	
	D'où suit que la perte éprouvée sur le produit de ces marchandises (qui coûtaient 99,757fr. 18c.), et que nous réduisons à 80,839fr. 6c., et qui constitue le 1er article de dommages-intérêts, est de 61,087fr. 46c., formant la différence entre le produit réalisé et le prix d'achat reduit, ci		61,087 46
2.	Si le "*Marabout*" fût arrivée au lieu de sa destination, sa cargaison réduite aurait produit, d'après les ventes faites à son précédent voyage à la côte d'Afrique trois mois auparavant, les bénéfices ci-après:—		
	Sur les marchandises de l'armement, s'élevant à 24,288fr. 79c., ci ..	18,378 12	
	Sur les marchandises prises à fret, s'élevant à 56,550fr. 27c., ci ..	43,126 64	
	Total		61,504 76
	(Voir la pièce No. 4, Côté S.)		
3.	Le "*Marabout*" avait en partant de Bahia 11 passagers, qu'il devait conduire sur la côte d'Afrique; 10 de ces passagers avaient payé leurs passages aux consignataires du navire avant son départ de Bahia. Soit R880,000 au change de R320 pour 1fr. ..	2,750 00	
	A reporter,	2,750 00	122,592 22

Numéros de l'état primitif.		Fr. c.	Fr. c.
	Report	2,750 00	122,592 22
	Cette somme est à restituer aux passagers.		
	Madlle. Santo Lobo, la onzième passagère, devait payer à la côte d'Afrique. Le prix du passage était de R100,000 prix courant, quand le passager ne fournit pas ses vivres, soit au change ci-dessus ..	320 00	3,070 00
4.	Les marchandises chargées par les négocians de Bahia payaient le fret ci-après:—		
	R1,612 $510 au change de R320 pour 1fr.	5,039 09	
	$740,93 au change de 5fr. 50c. pour le piastre	4,075 10	
	Total		9,114 19
	Nota.—Le Capitaine Déjoie avait touché à Bahia le fret payable en reis, qui sera à restituer aux chargeurs, comme il a été expliqué au No. 2.		
5.	Les marchandises appartenant à l'armement, en leur appliquant le prix de fret que payaient les autres marchandises, auraient eu à supporter un fret de		9,521 74
	Cette somme doit figurer dans le chiffre des dommages-intérêts, puisque dans le compte d'achat et de vente des marchandises du précédent voyage, on a porté un fret de Bahia à la côte, ce qui a réduit d'autant les bénéfices que l'on a pris comme base de calcul pour le voyage actuel.		
6.	Si le "*Marabout*" eût pu continuer son voyage à la côte d'Afrique, il eût pris, conformément aux instructions de son armateur, un chargement complet d'huiles de palme, qui était vendu à livrer, et qui eût donné un bénéfice de		37,036 13
7. 8. 9.	Pertes et dépenses résultat de la capture		Nihil.
10.	Le pont du "*Marabout*" a eu besoin d'un calfatage pendant son séjour à Cayenne. Ce travail ne put être fait par l'équipage, puisqu'il avait été mis à bord de la corvette la "Rose," et il fallut avoir recours à un constructeur de Cayenne, ce qui a occasionné une dépense de		278 00
11.	Dépenses résultant de la facture		Nihil.
12.	Le Consignataire, à Cayenne, du "*Marabout*" a prélevé une commission de 3,526fr. à raison des peines et soins extraordinaires occasionnés par cette affaire. Cette commission doit également entrer dans le chiffre des dommages-intérêts qui sont dus, à		3,526 00
13. 14. 15.	Dépenses résultant de la capture		Nihil.
16.	Frais de journées employées pour le navire, et qui auraient été faites par l'équipage		381 00
17.	Il y a bien également de faire entrer dans les dommages-intérêts l'excédant des gages de l'équipage qui s'élève suivant le travail fait par M. Milran, Commissaire de l'Inscription Maritime à Nantes, en date du 17 Mars, 1842, à la somme de		858 57
18.	Sous ce paragraphe on doit comprendre la somme de 250fr., formant l'indemnité payée aux hommes de l'équipage de "*l'Anacréon*," qui avaient été engagés, avec le retour à Cayenne de l'équipage détenu, et qu'on a dû congédier, ci		250 00
19.	Le Capitaine Déjoie avait laissé à Annaboi une créance de $1,944 sur le Sieur John Parker, qui devait être payé au premier retour du navire. Ce prompt retour n'ayant pas eu lieu, cette créance est devenu irrécouvrable		
	Toutefois comme la correspondance du Capitaine Déjoie, communiquée par M. le Capitaine Christie pendant les plaidoiries devant la Cour (lettre du 5 Mai, 1841), apprend que la solvabilité du débiteur n'était pas intacte, nous reduisons cette créance à 50 pour cent, ci..		5,346 00
20.	Le Capitaine Déjoie avait aussi à recouvrer une créance de $131 50c. sur le Sieur John Gendron; ce dernier était solvable, et l'éloignement du "*Marabout*" a seul empêché le recouvrement de ces $131 50c. qui font au change de 5fr. 50c. le piastre		723 25
21.	Indemnité réduite au fait de la détention de l'équipage, et de ses conséquences, à savoir: grave perturbation dans les affaires de l'armateur du "*Marabout*;" perte d'un temps précieux pour le commerçant en instances judiciaires, qui durent depuis 12 ans; honoraires d'avocats, et faux frais de toute nature qui n'entrent pas en taxe		20,000 00
	Total		212,697 10
	Au moyen des indemnités ci-dessus détaillées, les armateurs du "*Marabout*" gardent à leur charge tous les frais de navigation du navire; de plus, ils doivent tenir compte du fret fait par le "*Marabout*" de Cayenne à Nantes, dont ils ont profité		9,782 23
	Reste, valeur, le 14 Décembre, 1841		202,914 87
	Intérêts depuis la demande en justice jusqu'au jour de paiement ..		Même.
	Frais de 1re instance et d'appel, suivant taxe		Même.

No. 10, Côté 9.

Notes sur les réductions à faire par suite de la détérioration des tabacs en rôles survenue à Cayenne :—

	Fr. c.	Fr. c.
La facture de l'armement était de	.. ..	34,634 50
Et les tabacs en rôles figuraient dans cette somme pour	20,691 42	
En admettant une détérioration de moitié, il y aurait à déduire de la facture la moitié de 20,691fr. 42c., soit	.. ..	10,345 71
Il resterait	.. ..	24,288 79
La facture des chargeurs était de	.. ..	65,122 68
Et les tabacs en rôles figuraient dans cette somme pour	17,144 82	
En admettant une réduction de moitié comme ci-dessus, il y aurait à déduire de la facture la moitié de 17,144fr. 82c., soit	.. ..	8,572 41
Il resterait	.. ..	56,550 27

Récapitulation.

Facture de l'armement réduite	24,288 79	
Facture de chargeurs réduite	56,550 27	
	80,839 06	
La vente à Cayenne ayant été de	19,751 60	
La perte serait de	.. ..	61,087 46

No. 4, Côté S.

Etat des bénéfices sur les marchandises que l'on transportait de Bahia à la côte, en prenant pour base les bénéfices réalisés sur les marchandises du précédent voyage.

Nota.—C'est la détention de l'équipage du "*Marabout*" à bord des navires Anglais qui a privé de ces bénéfices, puisqu'on n'a pas pu transporter ces marchandises à la côte d'Afrique.

Marchandises à l'Armement.

Fr. c.		Fr. c.
	Cachasse.	
	R2,565 $520, coût de 52 futailles, suivant facture de 24 Septembre, 1841.	
	64 $138, commission d'achat 2½ pour cent.	
	R2,629 $658, soit au change de 320 reis pour 1fr.	
8,217 67,	qui auraient produit un bénéfice de 40 pour cent, ci	3,826 80
	Tabacs.	
	R6,459 $760, coût de 856 mangottes de tabac.	
	161 $494, commission d'achat 2½ pour cent.	
	R 621 $254	
	A déduire.	
	R3,310 $627, la moitié de ces tabacs considérée comme perdue à Cayenne.	
	Reste, R3,310 $627 (ou 10,345fr. 71c.)	
	896 000 coût de 7 boucauts de tabac en feuilles.	
	22 $400, commission d'achat 2½ pour cent.	
	R4,229 $027, soit au change de 320 reis pour 1fr.	
13,215 71,	qui auraient produit un bénéfice de 98 pour cent, ci	12,950 07
	soit une moyenne de 75 pour cent.	
	Articles Divers.	
2,855 41,	coût des autres marchandises auxquelles on appliquera la moyenne du bénéfice donné par les deux principaux articles de la cargaison, la cachasse et le tabac, bien que ces marchandises d'assortiment donnent d'ordinaire un bénéfice supérieur à celui des gros articles qui forment le fond des cargaisons; soit 75 pour cent	2,141 25
24,288 79,	total de la facture d'achat, déduction faite de la moitié des tabacs en rôles, considérée comme perdue à Cayenne, produisant un bénéfice de	18,378 12
	Marchandises des Chargeurs.	
	Observation.—Les marchandises chargées à fret sur le "*Marabout*" étant disséminées dans 22 factures, et formant ainsi un grand détail, on a fait le dépouillement de ces factures, et classé en quatre catégories les marchandises qu'elles annoncent :—	
	Cachasse .. R 2,301 $902, ou	7,193 44
	Tabac .. 8,102 $576, ou	85,320 55
	Corail, $1,950, ou 3,432 $000, ou	10,725 00
	Articles divers .. 7,002 $781, ou	21,883 67
	R20,839 $259, ou	65,122 68

Fr. c.		Fr. c.
	Cela fait, on prendra sur les cachasses et les tabacs le bénéfice trouvé sur les marchandises similaires appartenant à l'armement. Sur les articles d'assortiment, le bénéfice moyen donné par les tabacs et les cachasses. Et sur le corail, un bénéfice de 60 pour cent taux qui a été admis par le propriétaire de cette marchandise, encore bien que des ventes de cette époque, cotées par lui, eussent produit 72 pour cent.	
	Cachasse.	
7,193 44,	coût des cachasses, qui auraient donné un bénéfice de 40 pour cent ..	2,872 20
	Tabac.	
	17,144fr. 82c., tabac en rôle.	
	A déduire.	
	8,572fr. 41c., la moitié de ces tabacs considérée comme perdue à Cayenne.	
	8,572fr. 41c. reste.	
	8,175fr. 73c., tabacs en barils et cigares 25,320fr. 55c., moins 17,144fr. 32c.	16,413 04
10,748 14,		
23,941 58	ensemble, qui avaient donné un bénéfice de 98 pour cent, soit un moyen de 80 pour cent	19,285 24
	Articles divers.	
21,883 69,	coût des articles d'assortiment, un bénéfice moyen de 80 pour cent ..	17,406 40
	Corail.	
10,725 00	coût d'une caisse de corail qui auraient donné un bénéfice de 60 pour cent..	6,435 00
56,550 27,	Total de la facture d'achat, déduction faite 8,572fr. 41c., pour la moitié des tabacs en rôles considérée comme perdue à Cayenne, donnant pour bénéfices	43,126 64

No. 221.

The Earl of Clarendon to Count Walewski.

M. le Comte, *Foreign Office, July 2, 1853.*

I HAVE had the honour to receive your letter of the 24th ultimo and its inclosures, respecting the amount of damages claimed by the owners of the French vessel "*Marabout*" and of her cargo. And I have to state to your Excellency, that I have referred the papers in question to the proper department for due investigation, and that I will communicate to your Excellency as soon as possible the decision of Her Majesty's Government thereupon.

I am, &c.

(Signed) CLARENDON.

No. 222.

The Earl of Clarendon to Lord Cowley.

My Lord, *Foreign Office, July 13, 1853.*

I HAVE to acquaint your Excellency that the Secretary of State for the Home Department has informed me that the Commissioners of Customs have reported that 34,000 lbs. of gunpowder were shipped at Cork on the 6th ultimo, on board the French vessel "*Sylphide*," Fourchard, master, for Goree, on the west coast of Africa, in addition to nine cases, containing guns, swords, and pistols, which were reported inwards by the same vessel from Rouen, for exportation to Goree and Gambia.

I have to instruct your Excellency to draw the attention of the French Government to the above information, and to state that the indirect transmission of these Articles to Goree and Gambia leads to the suspicion that it may be intended that they should be transferred from the French settlements to some Spanish or Brazilian slave-dealer, in order to be employed in the purchase of slaves for the Cuba market.

You will add that Her Majesty's Government would be glad to ascertain, through the French authorities in the Senegal, whether or not there are any grounds for this suspicion.

I am, &c.
(Signed) CLARENDON.

No. 223.

The Earl of Clarendon to Lord Cowley.

My Lord, *Foreign Office, August* 22, 1853.

I TRANSMIT to your Lordship herewith an extract from a despatch* which I have received from Mr. Backhouse, Her Majesty's Commissary Judge in the British and Spanish Mixed Commission Court at the Havana, reporting the assistance afforded to him by Captain Verdrain, of the French war-steamer "Milan," in conducting the trial of a Spanish vessel called the "*Casualidad*," which was captured by Her Majesty's ship "Buzzard," and was brought for adjudication before the Mixed Court at Havana in April last.

I have to desire your Lordship to communicate the inclosed extract to the French Government, and to express to them the thanks of Her Majesty's Government for the friendly conduct of Captain Verdrain, in so readily affording to Mr. Backhouse the aid of one of his officers in furtherance of the ends of justice.

I am, &c.
(Signed) CLARENDON.

No. 224.

The Earl of Clarendon to Lord Cowley.

My Lord, *Foreign Office, September* 6, 1853.

I TRANSMIT herewith a copy of a letter which I have received from the Admiralty, relative to the reported intention of the French authorities on the west coast of Africa to occupy the island of Kanabak, near the mouth of the Rio Grande.

I have to instruct your Excellency to inform M. Drouyn de Lhuys that a report to this effect has reached Her Majesty's Government, by which it would appear that the expedition which was undertaken last spring by the French commodore against the natives of the Bijouga Islands might be followed up by the occupation of one of those islands on the part of France. You will say, that although Her Majesty's Government do not give credit to this statement, yet inasmuch as it bears upon the engagements recorded in the Treaty of the 29th of May, 1845, between Great Britain and France, Her Majesty's Government would be glad to be enabled to give an authentic contradiction to the report in question.

I am, &c.
(Signed) CLARENDON.

Inclosure in No. 224.

Rear-Admiral Bruce to Commander A. E. Heseltine.

Sir, *"Penelope," Loango, July* 14, 1853.

COMMANDER SEYMOUR having acquainted me with a report to the effect that it was the intention of the French Commodore to take possession of the Island of Kanabak, it is necessary that I should call your attention thereto, and desire that in the event of such being the case, you will lose no time in communicating the fact to me, sending a duplicate copy of your letter to the Secretary of the Admiralty.

You will be careful to avoid any misunderstanding whatever with the French authorities on this subject, for the question of their right to new terri-

* Class A., No. 18,

torial possessions on the west coast of Africa will be settled by our respective Governments at home.

But, on the other hand, you are not officially to recognise their claim to such new possessions, basing your reasons for so doing (if you should be required to explain) upon the Convention between Great Britain and France, dated 29th May, 1845, in the 6th Article of which it is stipulated as follows:—

"And if it should be necessary for the attainment of the objects of this Convention, that posts should be occupied on that part of the coast of Africa before described, this shall be done only with the consent of the Two High Contracting Parties.

I have, &c.
(Signed) H. W. BRUCE.

No. 225.

Lord Cowley to the Earl of Clarendon.—(*Received September* 23.)

My Lord, *Paris, September* 21, 1853.

THE inclosed copy of a letter from M. Ducos, the Minister of Marine and the Colonies, to M. Drouyn de Lhuys, will assure your Lordship that there is no intention on the part of the French Government to take possession of, or to form an establishment on the Isle of Kanabak, as alluded to in your Lordship's despatch.

I have, &c.
(Signed) COWLEY.

Inclosure in No. 225.

M. Ducos to M. Drouyn de Lhuys.

M. le Ministre et cher Collègue, *Paris, le* 12 *Septembre*, 1853.

IL n'est parti des bureaux de mon département aucune correspondence, aucune instruction qui implique l'idée de la formation d'un établissement à Cagnabac. Je n'ai rien vu non plus, dans les divers rapports sur l'Expédition des Bistagots, qui ait le moindre trait à une arrière pensée d'occupation. La supposition à laquelle cette expédition a donné lieu de la part du Gouvernement Anglais, et dont m'entretient la lettre que vous m'avez fait l'honneur de m'adresser le 9 de ce mois, est donc complètement dénuée de fondement, ainsi que vous l'avez vous-même pensé. Vous pouvez en toute sûreté de conscience en faire la déclaration au Gouvernement de Sa Majesté Britannique.

Du reste, pendant que le bruit relatif à notre prétendue occupation de l'île Cagnabac parvenait au Foreign Office, celui de l'intention du Gouvernement Anglais de prendre possession d'une île de l'Archipel des Bistagots m'arrivait de mon côté. Je n'y ai pas attaché d'importance, parce que je savais que cette mesure trouvait un obstacle dans la Convention même du 29 Mai, 1845 (Article 6, paragraph 2), citée par Lord Clarendon, et qui s'oppose à ce que semblable occupation ait lieu par l'un des deux Gouvernements sans le consentement de l'autre.

(Signé) THEODORE DUCOS.

No. 226.

The Earl of Clarendon to Lord Cowley.

My Lord, *Foreign Office, September* 30, 1853.

I HAVE received your Excellency's despatch of the 21st of September, inclosing a copy of a letter from M. Ducos, the French Minister of Marine and Colonies, to the French Minister for Foreign Affairs, stating that there was no truth in the report which had reached Her Majesty's Government as to the alleged intention of the French authorities on the west coast of Africa to occupy the island of Kanabak.

I have to instruct you to convey to the French Minister for Foreign Affairs the acknowledgments of Her Majesty's Government for the readiness with which the French Government have enabled you to give a contradiction to this report.

I have at the same time to advert to the concluding part of the letter from the French Minister of Marine, which states that the French Government had received a report that it was the intention of the British Government to take possession of one of the Bissago islands.

I presume that the report thus mentioned by M. Ducos relates to the island of Bulama, and in order that your Excellency may be enabled to explain to M. Drouyn de Lhuys the grounds upon which the right of Great Britain to the possession of that island rests, I transmit herewith a copy of a note* which Viscount Palmerston addressed on the 9th of June, 1841, to the Portuguese Minister at this Court, showing that the island in question was granted to certain British subjects, in 1792, by Jalorem and Bellchore, Kings of the Canhabac tribes. I inclose also a copy of a despatch† which Lord Aberdeen addressed to Her Majesty's Minister at Lisbon on the 19th December, 1842, containing two documents which show that Her Majesty's Government followed up the declaration of the British title to Bulama, by formally taking possession of the island in the name of Her Majesty on the 24th of May, 1842.

Your Excellency will communicate the inclosed papers to the French Minister for Foreign Affairs, in order to satisfy the French Government that our right to the possession of Bulama was acquired long before the conclusion of the Treaty of the 29th of May, 1845, between Great Britain and France.

I am, &c.

(Signed) CLARENDON.

No. 227.

The Earl of Clarendon to Count Walewski.

M. l'Ambassadeur, *Foreign Office, October* 1, 1853.

WITH reference to your Excellency's letter of the 7th of May last, stating that the French Government could not assent to the proposal made by the Lords of the Treasury, that the Court of Vice-Admiralty at Sierra Leone should settle the amount of compensation due to the owner of the French brigantine "*Eliza*," on account of her detention in May 1851, by Her Majesty's ship "Volcano;" I have the honour to inform your Excellency that this matter has been accordingly again referred to the Lords Commissioners of Her Majesty's Treasury; but, as the documents which your Excellency has transmitted to Her Majesty's Government respecting this case do not contain any evidence as to the tonnage of the "*Eliza*," or as to the length of time during which she was detained by Her Majesty's ship "Volcano," the Lords of the Treasury have, in the absence of this information, been prevented from ascertaining the amount of the damages equitably due to the French owner.

All that is yet known with regard to the particulars of this detention is, that the vessel was captured on the 17th of May, 1851; that the crew consisted of fourteen persons; and that she arrived at Sierra Leone on the 28th of that month; when the captor having discovered that he had acted erroneously in seizing the vessel, she was delivered up without any proceedings being instituted against her; but the exact time when she was delivered up did not satisfactorily appear, and the amount of her tonnage was not stated.

The Lords of the Treasury have caused inquiry to be made upon these points, through the Lords of the Admiralty, and through the agents of the detaining officer in London and at Sierra Leone, and although every exertion has been used to obtain information thereupon, none has yet been procured.

Under these circumstances, I have to state that if your Excellency can furnish me with any documents which can give satisfactory explanation upon these two points, the Lords of the Treasury will immediately take these documents into their consideration, in order to settle the amount of compensation which may be due to the owner of the "*Eliza*."

I am, &c.

(Signed) CLARENDON.

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* Class B, presented 1842, p. 510.
† Class B, „ 1843, p. 232, No. 179.

No. 228.

The Earl of Clarendon to Count Walewski.

M. l'Ambassadeur, *Foreign Office, November* 24, 1853.

WITH reference to the letter which I addressed to your Excellency on the 2nd of July last, respecting the claims of the owners of the French vessel "*Marabout*," which was detained and taken to Cayenne by Her Majesty's ship "Rose," on a charge of being equipped for the Slave Trade; I have the honour to inform you that I have received from the Lords of the Treasury a report relating, 1st, to the claim on account of the costs in this case, which is stated in your Excellency's letter of the 28th of February last; and 2nd, respecting the account which accompanied your letter of the 24th of June, setting forth the several items of the new demand of damages, which the owners and freighters of the "*Marabout*" consider that they would be borne out by the decree of the Imperial Court of Bordeaux, of the 24th of May, 1852, in claiming from Her Majesty's Government.

I have the honour, in the first place, to inform your Excellency, with regard to the sum of 3,855f. 37c., which was the amount of costs definitively adjudged by the Court at Bordeaux to be payable by Captain Christie, of Her Majesty's ship "Rose," that Her Majesty's Paymaster-General has been directed to hold at your Excellency's disposal the sum of 154*l.* 5*s.*, which is the equivalent in sterling money of the sum of 3,855f. 37c.

With regard to the new demand of damages, I have to observe that although that account professes to be drawn up in conformity with the decree of the 24th of May, 1852, yet it appears that the claimants have not confined themselves within the limit laid down by that decree, with reference to the amount of damages justly claimable from Her Majesty's Government, for the only point which the French Court of Appeal left to be settled, was "the amount of damages occasioned by the act of the captor in taking the crew and passengers out of the "*Marabout*," and in keeping them away from their vessel."

The inclosed extract of the above-mentioned report to the Lords of the Treasury will explain to your Excellency in detail the several points in which it appears to Her Majesty's Government that the claimants have demanded more than is properly due to them.

Your Excellency will observe that the only three items in the account in question which are deemed to be admissable, are as follows:—

The	10th	for 278f.
"	16th	381f.
"	18th	250f.

These sums appear to have been paid to persons whom it was found necessary to employ on board the vessel on account of the crew not being there, and do not amount in all to 40*l.* sterling.

I have only further to state to your Excellency, that if the parties interested would make out an account confined strictly within the limit laid down by the Court of Appeal at Bordeaux, it appears to me probable that there would not be much difficulty in settling the amount which should be paid to the claimants.

I am, &c.
(Signed) CLARENDON.

Inclosure in No. 228.

Opinion on the case of the "Marabout."

(Extract.)

COUNT WALEWSKI'S letter to the Earl of Clarendon, dated the 24th of June last, transmits a letter from the representatives of the owner, dated Nantes, 14th May, 1853, with an account, amounting to 259,641f., and says that the parties had reduced their demand from that sum to 212,914f.; and

Count Walewski then says that he was authorized to add, that the parties will consent to a further reduction of 25 per cent, which will bring the amount to 194,731f.

The owner's account, specifying the different items forming this extraordinary demand, is forwarded in Count Walewski's note; and I think that I shall have very little difficulty in convincing your Lordships that nearly the whole of these items must be rejected, as not coming within the question reserved by the Court for its decision; and for better elucidation, I will state the items claimed, seriatim, and make such obervations thereon as appear to me to be proper:

The first item claimed is "loss upon the produce of goods which cost 99,757f. 18c., forming the difference between the produce realized and the produce price," 61,087f. 46c.

I must here observe that no proof is given either of the amount of proceeds which the goods realized at Cayenne, or the price of their purchase, if either were necessary; but upon principle the parties cannot be entitled to any part of this demand. If even the goods had sold for less than the purchase price, the vessel had been guilty of a breach of Treaty. The Appeal Court at Bordeaux pronounced the captor justified in sending the vessel and cargo to Cayenne, to be tried by the French courts there. It was the port to which the captor was bound to send the "*Marabout*," and if it turned out to be a bad market for the sale of the goods, the captor had nothing to do with that; the sale was made by the direction of the master, who took upon himself that responsibility, and must abide by the consequences, as well to the owners of his vessel, as the owners of the other goods on freight. The delinquencies of the French master justified the seizure, and so the Appeal Court at Bordeaux pronounced.

The second demand is as follows:—

If the "*Marabout*" had arrived at the place of her destination, her cargo would have produced, after the sales made by her former voyage three months before, 61,504f. 76c.

I can hardly imagine anything more unfounded than this charge: prices frequently vary within less than a period of three months; but supposing it to be owing to a reduced price at Cayenne, similar articles of merchandize at the port of his previous voyage might have been reduced in like manner. And, with reference to my observations on the first item, there is no ground whatever for any portion of this demand to be paid by the captor or Her Majesty's Government.

The third item is as follows:—

The "*Marabout*" had, on leaving Bahia, 11 passengers, who should have been taken to the coast of Africa: 10 of these passengers had paid their passages to the consignees of the vessel 2750f.

This sum is to be restored to the passenger, M. Lobo, the eleventh passenger, for not furnishing his provisions: 320f.:—3070f.

This claim is equally unfounded as the last; it seems that these passengers had paid their passage-money, and that they will reclaim it, as they were not taken to Africa. It may be asked, who prevented their being taken to Africa, but the master of the "*Marabout*," who had been guilty of a breach of Treaty? and consequently the British captor was bound to take the "*Marabout*" to Cayenne, to be tried by the French courts there.

The fourth item is as follows:—

Captain Déjoie, the master of the "*Marabout*," had received at Bahia the freight, which will have to be restored to the freighters: 9,114f. 19c.

Here, again, the master seems to have been fortunate, if this account be true, to have received the freight prior to the goods being delivered; and if he ever does return it, which he ought to do, neither the captor nor the British Government can, either in law or equity, be called upon to pay any part thereof.

The following is the fifth item:—

The merchandize belonging to the owners, by applying the price of freight that the other merchandize would pay, would give a freight of 9,521f. 74c.

I confess I am quite unable to understand what is meant by this charge: it is, however, quite clear that it cannot, by any possibility, come within any part of the question reserved for decision by the Appeal Court at Bordeaux.

The sixth item is as follows:—

If the "*Marabout*" had continued the voyage to the coast of Africa, she

would have taken, conformably to the instructions of her owner, a complete cargo of palm-oil, which would have given a benefit of 37,036f. 13c.

And here I would ask, when the Court at Cayenne had restored the "*Marabout*," and the master was in possession of the proceeds of the sale of the cargo, why did he not proceed to the same port, and there purchase a cargo of palm-oil? The captor never hindered him, or interfered with his vessel, after the Court had restored it. This item is altogether untenable.

The tenth item is as follows:—

The deck of the "*Marabout*" required caulking during her stay at Cayenne. This work could not be done by the crew, because they had been put on board the "Rose."—278f.

This is the first item that may be considered as coming within a justifiable demand; and should the Court award in favour of the owner, part of this item might be allowed.

The twelfth item is as follows:—

The consignee at Cayenne, of the "*Marabout*," has charged a commission of 3526f.

There is no doubt that the consignee would be entitled to a commission for the sale of the goods, &c.; but the captor can have nothing to do with that in the present case. If the captor had been condemned in costs and damages, that would have been very different: but in this case, where the French Appeal Court has pronounced the seizure justifiable, these commissions must be charged upon the property.

The sixteenth item is—

Labour on account of the vessel, and which should have been done by crew, 381f.

This item would deserve consideration.

The seventeenth item is as follows:—

Wages of the crew, 858f. 57c.

Here, again, I must observe, that the seizure and taking the "*Marabout*" into Cayenne having been justified, the owners of the vessel, like all other owners of vessels similarly circumstanced, are bound to pay the wages of the master, officers, and crew, and no claim of this kind can be sustained against the captor.

The eighteenth item is as follows:—

Indemnity paid to the crew of the "*Anacreon*," who had been engaged on the return to Cayenne, 250f.

This item would deserve consideration.

The nineteenth item is rather extraordinary.

It is that Captain Déjoie had left at Annabon a credit of 1944 dollars upon Mr. John Parker, which credit is irrecoverable; and therefore a claim is made in francs for 5,346f.

There can be no ground whatever for charging any portion of this sum against the captors.

The twentieth item is equally extraordinary.

It is that Captain Déjoie had to recover a credit of 131f. 50c. upon Mr. John Gendron, which, at exchange of 5f. 50c., makes 723f. 25c.

There can be no ground whatever for allowing any part of this charge against the captor.

The twenty-first charge is as follows:—

Indemnity in consequence of the detention of the crew and its consequences, viz., serious perturbation in the affairs of the owner of the "*Marabout*;" loss of precious time in judicial proceedings, which lasted 12 years; fees to advocates, and disbursements of every nature not before charged, 20,000f.

This is evidently a made-up charge. And with regard to the perturbation in the affairs of the owner, or his loss of time, however high he may estimate it, he is not entitled to anything whatever on those grounds. And with regard to the fees for advocates, and disbursements of that nature, the same has been already awarded to him by the allowance of 3,855f. 37c. before-mentioned, by the Appeal Court at Bordeaux, and consequently the parties are not entitled to anything further.

No. 229.

M. Baudin to the Earl of Clarendon.—(*Received December* 1.)

M. le Comte, *Londres, le* 30 *Novembre*, 1853.

PAR une lettre en date du 1er Octobre dernier, votre Excellence a demandé à M. le Comte Walewski de la mettre à même de fournir aux Lords de la Trésorerie, chargés de statuer sur le chiffre de l'indemnité à accorder aux propriétaires du brigantin Français "*l'Eliza*," des informations exactes sur le tonnage de ce navire, et sur le nombre de jours pendant lesquels il a été retenu à Sierra Leone.

Les propriétaires de "*l'Eliza*" ont fait connaître à M. Drouyn de Lhuys que leur navire, arrêté par le "Volcano," le 17 Mai, 1851, n'avait quitté Sierra Leone que le 2 Juillet suivant, ce qui porte à 47 jours la durée de sa détention par un croiseur de Sa Majesté Britannique. Ils ont de plus remis à M. le Ministre des Affaires Etrangères copie de l'acte de francisation de leur navire. J'ai l'honneur de transmettre ci-joint à votre Excellence ce document, certifié par le Directeur des Colonies au Département de la Marine à Paris. J'y joins une copie de la lettre que M. Urbain a adressée à cette occasion à M. le Ministre des Affaires Etrangères, en priant votre Excellence de vouloir bien appeler l'attention des Lords de la Trésorerie sur la différence qu'il signale entre le chiffre nominal de tonnage assigné à "*l'Eliza*" dans l'acte de francisation, et celui auquel les dimensions du navire lui auraient réellement permis d'atteindre d'après M. Urbain.

J'ai, &c.,
(Signé) CH. BAUDIN.

Inclosure 1 in No. 229.

The Owners of the "Eliza" to M. Drouyn de Lhuys.

M. le Ministre, *Paris, le* 17 *Novembre*, 1853.

J'AI l'honneur de transmettre ci-joint à votre Excellence une copie de l'acte de francisation du brick-goëlette "*l'Eliza.*" Cette pièce établit d'une manière authentique le tonnage du navire, et répond à la demande de l'Ambassadeur de Sa Majesté Impériale à Londres que vous aviez bien voulu me communiquer.

Je prie votre Excellence de me permettre de lui faire remarquer que l'acte de francisation constate que "*l'Eliza*" avait deux mâts et un faux tillac, qu'elle avait 29 mètres 49 centimètres de longueur, et 5 mètres 94 centimètres de largeur. Or ces dimensions ne sont nullement en rapport avec le tonnage annoncé de 54 tonneaux, tandis qu'elles confirment le chiffre de 120 tonneaux, que j'ai eu l'honneur d'énoncer autérieurement comme expression du jaugeage, franc de tillac.

Cette anomalie s'explique en ce que "*l'Eliza*" était un navire d'origine Américaine, et que d'après la loi Française, nul navire étranger ne peut obtenir la francisation pour un tonnage supérieur à 60 tonneaux. De-là, la nécessité de construire le faux tillac, et la réduction du jaugeage à 54 tonneaux.

A l'appui de ces observations, je demanderai à votre Excellence la liberté de citer un autre fait. Au moment de la capture illégale de "*l'Eliza*," le navire était assuré en Belgique, où il devait porter un chargement, pour la somme de 29,000f. La police d'assurances a dû être transmise avec le dossier de l'affaire par le Ministère de la Marine et des Colonies. Le prix de l'assurance atteste que "*l'Eliza*" avait une valeur plus grande qu'un batiment ordinaire de 54 tonneaux.

Ces considérations aideront, sans doute, M. l'Ambassadeur de l'Empereur à Londres à faire reconnaître aux Lords de la Trésorerie toute l'importance du dommage que nous avons éprouvé par la perte de "*l'Eliza*," conséquence de son arrestation illégale.

Veuillez, &c.,
(Signé) IM. URBAIN.

Inclosure 2 in No. 229.

Acte de Francisation.

Au nom du Peuple Français,

LE Gouverneur du Sénégal et de ses dépendances déclare que le Sieur Salzédo, domicilié à Gorée, est propriétaire du navire "*l'Eliza*," appartenant au port de Gorée et ayant été construit à ainsi qu'il a été certifié par pièces authentiques ; que ce navire a deux mâts, un pont et un faux tillac ; que sa longueur, de l'éperon à l'étambot, est de 29 mètres 49 centimètres, que sa plus grande largeur est de 5 mètres 94 centimètres, que sa hauteur entre les ponts est de 1 mètre 55 centimètres; qu'il mesure 54 tonneaux 49 centièmes, ayant été jaugé suivant la manière prescrite par la Loi du 12 Nivose, an 2 ; qu'il est brick-goëlette ; qu'il n'a pas une galerie en tête ; que le propriétaire du dit navire a rempli les formalités prescrites pour constater qu'il est propriété Française ; que les déclarations, sermens, soumissions, et cautionnements prescrits par la Loi du 27 Vendemiaire, an 2, et l'Arrêté Local du 22 Janvier, 1829, ont été faits le 18 Juillet, 1848 ; et que le navire est enregistré sous le No. 56 sur le registre du Bureau de Gorée où réside le dit propriétaire ; pourquoi il a droit de naviguer sous le pavillon Français, pour faire le cabotage du Sénégal et de ses dépendances.

Prions et requérons, en conséquence, les Commandants des bâtiments de la République, tous fonctionnaires publics, et tous ceux à qui il appartiendra, de le reconnaître pour Français, et de le faire jouir de tous les privilèges des vaisseaux de la République, à la charge pour le propriétaire de se conformer aux lois et de prendre les congés et expéditions prescrites.

Délivré à St. Louis, le 28 Juillet, 1848.

(Signé) A. B. DU CHATEAU,
Le Commissaire de la République.

Enregistré et délivré à Gorée, sous le No. 1, le 18 Juillet, 1849.

(Signé) A. NICOLAS,
Le Vérificateur des Douanes.

Certifié conforme à l'acte de francisation déposé dans le dossier du navire "*l'Eliza.*" Gorée, le 23 Octobre, 1851.

(Signé) A. ESTRUC,
Le Vérificateur des Douanes, P. I.

Vu pour la légalisation de la signature de M. Estruc, Vérificateur, P. I, à Gorée.

Remis le 8 Novembre, 1851. (Signé) A. NICOLAS,
Le Vérificateur Chef du Service des Douanes. P. I.

Vu pour légalisation de la signature de M. A. Nicolas, Vérificateur Chef du Service des Douanes, P. I. St. Louis, le 8 Novembre, 1851.

(Signé) VERAND, *Le Chef du Service Administratif.*

Vu pour légalisation de la signature de M. Vérand, Chef du Service Administratif de la Colonie. St. Louis, le 8 Novembre, 1851.

(Signé) PROTET, *Le Gouverneur.*

Pour copie,

MUNEY, *Le Conseiller d'Etat, Directeur des Colonies.*

No. 230.

Count Walewski to the Earl of Clarendon.—(Received December 27.)

M. le Comte, *Londres, le 26 Décembre,* 1853.

J'AI reçu et porté à la connaissance de mon Gouvernement la lettre que votre Excellence m'a fait l'honneur de m'écrire le 24 Novembre dernier, au sujet de la réclamation des propriétaires du "*Marabout*."

Je serais reconnaissant à votre Excellence de vouloir bien donner les ordres nécessaires pour que je puisse toucher le somme de 3,855f. 37c. montant des frais de première instance mis par la Cour de Bordeaux à la charge du Gouvernement de Sa Majesté Britannique, et que votre Excellence veut bien faire tenir à ma disposition.

Quant à la réclamation en elle-même, je suis chargé d'avoir l'honneur de faire connaître à votre Excellence que les armateurs du "*Marabout*" persistent dans leur prétensions, et préfèrent que le chiffre des dommages-intérêts auxquels ils croient avoir droit soit fixé judiciairement par la Cour Impériale de Bordeaux.

J'ai, &c.,

(Signé) A. WALEWSKI.

No. 231.

The Earl of Clarendon to Count Walewski.

M. l'Ambassadeur, *Foreign Office, January 7,* 1853.

I HAVE the honour to acknowledge the receipt of the letter addressed to me on the 30th November last by M. Baudin, Chargé d'Affaires of His Majesty the Emperor of France, inclosing a statement made by the owner of the French brigantine "*Eliza*," detained by Her Majesty's ship "Volcano," in May, 1851, as to the tonnage of that vessel, and the length of time during which she was detained by the "Volcano."

Having referred that letter, with its inclosures, to the Lords of the Treasury for their consideration, I have the honour to state to your Excellency that their Lordships have observed, with reference to the statement of the owner that the "*Eliza*" was detained on the 17th of May, and that she did not leave Sierra Leone till the 2nd of July, making the period of her detention forty-seven days, that the captor states that possession of the "*Eliza*" was given up to her master on the 25th of June, making the period of her detention thirty-one days, and not forty-seven; for it appears to their Lordships that the time for which the owner would be entitled to claim demurrage, would be only from the date of the seizure of the vessel to the day on which she was delivered up to the master or his agent.

With regard to the statement of M. Urbain, the owner of the "*Eliza*," that that vessel's registered tonnage, viz., 54 tons, is not in accordance with her dimensions, but that she is actually of 120 tons burden; the Lords of the Treasury consider that it is impossible for them, without further information, to arrive at any just estimate of the actual tonnage of the "*Eliza*," upon the vague statements contained in M. Urbain's letter.

I would therefore beg to suggest to your Excellency, with a view to the settlement of this question, that the owner of the "*Eliza*" should be required to state on what day she was seized by the "Volcano," and on what day she was restored to her master; and to furnish any proof that he may be able to produce as to the actual tonnage of the "*Eliza*," in order that Her Majesty's Government may be enabled to calculate the amount of demurrage to which he is entitled on account of the detention of his vessel by a British cruizer.

I am, &c.

(Signed) CLARENDON.

No. 232.

The Earl of Clarendon to Count Walewski.

M. l'Ambassadeur, *Foreign Office, January* 12, 1854.

WITH reference to your Excellency's letter of the 26th ultimo, requesting that directions may be given for the payment to you of the sum of 3,855f. 37c. which was the amount of costs adjudged by the court of law at Bordeaux, to be payable by Captain Christie, of Her Majesty's ship "Rose," the captor of the French vessel "*Marabout*," I have the honour to transmit herewith a cheque for 154*l.* 4*s.* 3*d.* being the equivalent, at the exchange of 25 francs to the pound sterling, of the above-mentioned sum of 3,855f. 37c.

I am, &c.

(Signed) CLARENDON.

No. 233.

Count Walewski to the Earl of Clarendon.—(*Received January* 14.)

M. le Comte, *Londres, le* 13 *Janvier*, 1854.

J'AI reçu, avec la lettre que votre Excellence m'a fait l'honneur de m'écrire en date d'hier, le mandat de 154 livres sterling, 4 shillings et 3 pence qu'elle a bien voulu y joindre, pour le paiement des frais de justice mis par la Cour d'Appel de Bordeaux à la charge du Capitaine Christie, du navire de Sa Majesté Britannique la "Rose," dans le procès auquel a donné lieu l'arrestation par cet officier du navire Français le "*Marabout*." Je fais tenir cette somme aux intéressés par l'intermédiaire du Département des Affaires Etrangères, et en en accusant reception à votre Excellence,

Je saisis, &c.,

(Signé) A. WALEWSKI.

No. 234.

The Earl of Clarendon to Lord Cowley.

My Lord, *Foreign Office, March* 22, 1854.

IN accordance with the agreement which was entered into between the Governments of Great Britain and France, in the year 1848, to communicate to each other, at the conclusion of each year, a Return of the vessels captured by their respective squadrons employed on the west coast of Africa in the suppression of the Slave Trade, under the Convention of 1845, I transmit to your Lordship herewith, for communication to the French Government, Returns drawn up in the form agreed upon, of the captures made by Her Majesty's squadron during the years 1852 and 1853 respectively.

I am, &c.

(Signed) CLARENDON.

Inclosure 1 in No. 234.

RETURN of **VESSELS** captured on the ground of Slave Trade or Piracy, by the British Squadron employed on the West Coast of Africa, under the Convention of the 29th May, 1845, between Great Britain and France, for the suppression of the Slave Trade, during the Year ending the 31st December, 1852.

Name and Description of Captured Vessel.	Flag under which captured Vessel was sailing.	Names of Master and Owners of Captured Vessel.	Number of Crew.	Date of Seizure.	Where Captured.	Name and Rank of Captor and Name of Capturing Vessels.	Number of Slaves captured.	Number died before adjudication.	Total emancipated.	Tonnage of Captured Vessel.	Before what Court adjudicated, and on what charge.	Decretal part of Sentence, whether Forfeiture or Restitution.	How Captured Vessel was disposed of.	Remarks.
Santissima Trinidad (Lugger)	None.	Martin Vasdas Antas, Master; Owner unknown	4	1852 Feb. 27	Lat. Long. 0° 13′ S. 8° 25′ E.	Acting Commander Rt. Hall. H. M. ship "Hound"	69	—	69	about 11	Vice Admiralty Court, St. Helena.—Being engaged in the Slave Srade	Forfeiture	Vessel destroyed by Captors	Slaves taken to St. Helena.
Unknown (Brigantine)	None.	Not known.	—	Mar. 8	11°34′ N. 15°21′ W.	Commander Ed. S. Sotheby, H. M. ship "Sealark"	24	—	24	244/95	Vice Admiralty Court, Sierra Leone.—Being engaged in the Slave Trade	Ditto	Ditto	Slaves taken on shore, and brought to Sierra Leone.
Unknown (Brig) ...	Brazilian	Not known.	16	May 30	Off Cape Palmerinha	Commander Geo. A. Seymour, H. M. steam-ship "Firefly"	None	None	None	231	Vice Admiralty Court, St. Helena.—Being engaged in the Slave Trade	Ditto	Broken up and sold.	
Unknown (Schooner)	None.	Not known.	20	Nov. 1	7° 30′ N. 13° 4′ W.	Lieutenant H. Christian, Commanding H. M. steam-vessel "Bloodhound"	None	None	None	91	Vice Admiralty Court, Sierra Leone.—Being engaged in the Slave Trade	Ditto	Purchased by Colonial Government.	
Unknown (Brigantine)	None.	Not known.	21	Dec. 16	Off Quicombo	Commander A. H. Gardner, H. M. ship "Waterwitch"	None	None	None	about 160	Vice Admiralty Court, St. Helena.—Being engaged in the Slave Trade	Not yet adjudicated.	—	

(Signed) H. W. BRUCE, *Rear-Admiral and Commander-in-Chief.*

Inclosure 2 in No. 234.

RETURN of VESSELS captured on the ground of Slave Trade or Piracy, by the British Squadron employed on the West Coast of Africa, under the Convention of the 29th May, 1845, between Great Britain and France, for the suppression of the Slave Trade, during the Year ending the 31st December, 1853.

Name and Description of Captured Vessel.	Flag under which captured Vessel was sailing.	Names of Master and Owner of Captured ship.	Number of Crew.	Date of Seizure.	Where Captured.	Name and Rank of Captor and Name of Capturing Ship.	Number of Slaves captured.	Number died before adjudication.	Total Number emancipated.	Tonnage of Captured Vessel.	Before what Court adjudicated, and on what charge.	Decretal part of Sentence, whether Forfeiture or Restitution.	How Captured Vessel was disposed of.	Remarks.
Restaurada (Schooner)	None.	Juan Coll, Master. Owner unknown	21	1853 Mar. 18	Lat. Long. In the New Calebar River	Commander R. J. J. G. Macdonald, H. M. sloop "Ferret"	None			130⅔	Vice Admiralty Court at Sierra Leone.—Being engaged in the Slave Trade	Forfeiture	Destroyed.	
Paulina (Brigantine)	None.	Unknown.	2	April 30	In the River Ponga	Commander Henry Need, H. M. sloop "Linnet"	None			151½	Ditto	Ditto	Ditto.	
Unknown (Schooner)	None.	Unknown.	Deserted.	April 30	Ditto	Ditto	None			69½	Ditto	Ditto	Ditto.	
Maria (Schooner)	None.	Juan Dias, Master and Owner	23	May 13	4° 12′ S 10° 19′ E.	Lieutenant W. K. Jolliffe, Commanding H. M. steam-vessel "Myrmidon"	None			180	Vice Admiralty Court at St. Helena.—Being engaged in the Slave Trade.	Ditto	Ditto.	
Aguia (Schooner)	Portuguese	Antonio Alves de Amorin, Master; Manuel Lopez Vianna, Owner.	14	June 4	Aghwey, Bight of Benin	Lieutenant H. B. Beresford, Commanding H. M. brigantine "Spy"	None			105	British and Portuguese Mixed Commission Court at St. Paul de Loanda	Acquitted	Restored.	

(Signed) H. W. BRUCE, *Rear-Admiral and Commander-in-Chief.*

MEXICO.

No. 235.

Mr. Doyle to the Earl of Clarendon.—(*Received July* 31.)

My Lord, *Mexico, July* 3, 1853.

I HAVE the honour to inclose herewith copies of a despatch and its inclosures, which I received from Mr. Consul Giffard, by which your Lordship will perceive that a vessel of a very suspicious character had arrived under Mexican colours at the port of Laguna de Terminos, in the Peninsula of Yucatan, for the purpose of being refitted.

Mr. Vice-Consul Shiels had discovered that she had several pieces of artillery in her hold and 300 casks of water, and from her figure-head, &c., he supposed her to be a famous slaver called formerly the "*Lady Suffolk*." The crew consisted of 26 men, all Spaniards, and six persons were also on board, Spaniards by birth, said to be passengers, but Mr. Shiels supposes they had acted as officers on board that vessel; they have returned to the Havana while the vessel was being refitted, and she was to await the arrival of a fresh crew to be sent from thence.

The name she now sails under is the "*Mariana*," and the port she last left was Cienfuegos, in the island of Cuba, according to her health-certificate, which was granted by a Don Fernando Fraire (Teniente de Navio) at Cienfuegos, in the vicinity of which place she is reported to have landed 1300 negroes.

Immediately on the receipt of Mr. Giffard's despatch, I addressed a note to his Excellency Senor Bonilla, which I took myself to him, requesting he would give me at once the necessary orders to ensure the co-operation of the authorities of Laguna de Terminos, as Commander Napier, of Her Majesty's ship "Daring," would proceed thither from Vera Cruz without delay to search this vessel; and I called to his Excellency's attention the conduct of the Mexican Consul at Havana in allowing that vessel to sail under Mexican colours without first sending her to Vera Cruz, and of the authorities at Laguna de Terminos in allowing her to remain under such circumstances.

Senor Bonilla sent me the orders I required that evening, accompanied merely by a private letter, a copy and translation of which I have the honour to inclose herewith, as well as extracts of the orders he sent me under flying seal, which consisted merely of translations of my note to him of that day's date, concluding with the extracts I now forward to your Lordship.

As yet I have not heard of the result of Commander Napier's search, but this is not the first time vessels employed in the Slave Trade have gone to Yucatan to refit, because they could not be searched by Her Majesty's cruizers within a line agreed upon in our Slave Trade Treaty with this country, drawn from the port of Sisal in Yucatan to the mouth of the Rio Bravo del Norte, before an arrangement I made with this Government in December, 1851, which has not become generally known, and which may account for the presence of the vessel in question at Laguna de Terminos.

Should she prove to be a slaver, she will be brought to Vera Cruz in accordance with the Law declaring that Traffic to be piracy, and I shall use my best exertions to prevent any undue delay taking place in having her condemned, and I shall then again bring officially before this Government the conduct pursued in this matter by the Mexican Consul at the Havana, as well as that of the authorities at Laguna de Terminos.

I think it my duty to call to your Lordship's attention the prudence and energy with which Mr. Vice-Consul Shiels has acted on this occasion, and it is not the first time his conduct has been deserving of approval.

I have, &c.

(Signed) PERCY W. DOYLE.

Inclosure 1 in No. 235.

Consul Giffard to Mr. Doyle.

Sir, *British Consulate, Vera Cruz, June* 16, 1853.

I HEREWITH inclose for your perusal a communication which I yesterday received from Mr. Vice-Consul Shiels at Laguna, on the subject of a ship arrived there, apparently for the purpose of being nationalized and of sailing under Mexican colours out of the Gulf, to be afterwards employed in the Slave Trade.

From what is stated by Mr. Shiels, it would appear that not only the Mexican Consul at the Havana, but the Mexican maritime authorities at Laguna, have been favouring the views of the owners of this very suspicious vessel.

Captain Napier, of Her Majesty's ship "Daring," to whom I have communicated Mr. Shiels' despatch, intends to proceed to Laguna without delay; but as he may require the co-operation of the Mexican authorities at that port, I have lost no time in apprising you therewith, as I believe you will find it necessary to apply to the Mexican Government for the most stringent orders to the Commandant at Laguna to give Captain Napier all the assistance he may require for the examination of the ship in question.

I have, &c.

(Signed) F. GIFFARD.

Inclosure 2 in No. 235.

Vice-Consul Shiels to Consul-General Crawford.

Sir, *British Consulate, Laguna de Terminos, June* 2, 1853.

ON the 30th ultimo, a full-rigged ship under Mexican colours, named the "*Mariana*," of 410 tons, Gutierrez, master, arrived at this port, reported as being from Cienfuegos in Cuba, navigated by twenty-six men, with six passengers, all of Spanish origin. It is currently reported here that the said vessel has been engaged in the illegal traffic of the Slave Trade from the coast of Africa, and that she landed a cargo of 1300 negroes in the vicinity of Cienfuegos, which port she left about the 14th of May last, according to her health-certificate, which is granted by Don Fernando Fraire (Teniente de Navio) at Cienfuegos. The probability of this vessel's having been lately engaged in the Slave Trade is almost a certainty, from the circumstance of her having on board about 300 water-casks, and several pieces of artillery in the hold, as I am informed from private sources. Yesterday, the 1st instant, the original crew of Spaniards were discharged, and left the ship to-day for Havana, *vid* Campeachy or Sisal. The six individuals represented as passengers, and who most probably are officers belonging to the ship, have also left this by the same opportunity as the crew. The vessel, it seems, is intended to be refitted here, as the master remains with her, and a crew of Mexicans has been employed for the present. It is therefore likely that she will await orders from Havana, to escape the vigilance of Her Majesty's cruisers engaged on the coast of Cuba in suppressing the Slave Trade, and it may be calculated that she will be detained here for at least a month, until her owners at Havana can send a vessel with a new crew and the necessary outfits to enable her to leave here properly equipped for another voyage to the coast of Africa, without her approaching the vicinity of the cruising ground of the British men-of-war looking out for African traders off Cuba. The ship is said to have been built

at Baltimore, U.S., and is reported to be a fast sailer. It appears she sails under Mexican colours, with special permission from the Mexican Consul at Havana, and has been authorised by him to proceed here without calling at Vera Cruz, to be properly nationalised there as usual; and the captain of the port here has thrown no obstacle in the way to her remaining, nor do the custom-house authorities show any disposition to question the correctness of the documents under which she sails as a Mexican vessel. On this account I have judged it prudent not to apply officially to the authorities here for information as respects the suspicious character of the "*Mariana*," in order not to alarm them or the parties conniving at her remaining here to refit, so that this communication may reach in time to enable you to take such steps as you may consider judicious to prevent the "*Mariana*" leaving this port, probably refitted for another voyage on a slaving expedition.

I have, &c.
(Signed) GEO. B. SHIELS.

Inclosure 3 in No. 235.

Vice-Consul Shiels to Consul Giffard.

Sir, *British Consulate, Laguna de Terminos, June* 6, 1853.

I HAD the honour to address you on the 3rd instant, *viâ* Campeachy, inclosing copy of my letter of 2nd instant, addressed to Mr. Consul-General Crawford, at Havana, on the subject of the ship "*Mariana's*" arrival at this port, and of the probability of her having been lately engaged in the Slave Trade.

On looking over some old newspapers, I found in one of them, the "Herald," of New York, the inclosed printed paragraph, dated Havana, 20th November, 1852, giving a detailed account of the arrival at Mariel of the American ship "*Lady Suffolk*," and of her having sailed about the 22nd of that month on a slaving voyage to the coast of Africa. The account of this occurrence concludes with the description of the ship. I have examined the vessel outwardly, and from her length and apparent breadth I should consider her to be from 500 to 520 tons burthen, as stated, and no doubt exists at present, in my mind, as to the ship's being the identical "*Lady Suffolk*," as her figure-head exactly corresponds with the description in the printed paragraph, viz.:—a woman's figure, full-length, painted with white golden wings on the shoulders; in the right-hand a trumpet, and in the left a wreath or crown, both articles also gilded. On the 4th instant, they landed from her 90 sacks of millet, which the captain pretends to say to the custom-house authorities is barley which he found on board the ship when he took charge of her at Cienfuegos, but which I have examined, and have no hesitation in stating to be the former, taken on board on the coast of Africa, to subsist the negroes on which she had on board.

The vessel in the Mexican Consul's report from Havana is stated to be the American ship "*Mary*," from Boston, and to have been sold to a person named Don José Ruiz, of Mexico, by an American of the name of Smith, and the captain of her represents her as measuring 410 tons.

From these contradictory statements and circumstances before stated, I presume you will coincide in my opinion as to her real character, that of her being a slave-trader, which from her valuable qualities as a first-rate sailer, will probably be again fitted out for another voyage in quest of slaves.

I have considered this case to be of a sufficiently suspicious character to make it my duty to convey to you the speediest intelligence possible respecting it by the nearest route of conveyance, and as a canoe leaves this evening for Frontera de Tabasco, I have taken the liberty to transmit this communication to you through that place, to enable you to take such steps as in your judgment will be most efficient to prevent another successful voyage of the "*Mariana*" under Mexican colours on a slaving expedition.

I have, &c.
(Signed) GEO. B. SHIELS.

Inclosure 4 in No. 235.

Extract from the "New York Herald."

Havane, 25 Novembre, 1852.

PAR l'activité qui règne parmi les négriers d'ici, il est évident qu'ils comptent sur la protection de l'autorité supérieure, dont les opinions à ce sujet sont bien connues.

Quoiqu'il en soit, il est incontestable que la Traite n'a jamais été dans une condition plus prospère que pendant ces derniers mois, même sous les plus beaux jours de l'administration du Général O'Donnell.

Il est plus que temps que l'Angleterre tienne la main à l'exécution des Traités souscrits par l'Espagne; la Traite se fait de jour en jour plus ouvertement et plus audacieusement, et les Traités sont considérés comme lettre morte.

Il n'y a aucune exagération dans ce que je vous écrit, vous en jugerez vous-même par les faits que je vous cite et qui sont ici de notoriété publique; leur véracité peut du reste être certifiée par tout l'équipage qui a amené le "*Lady Suffolk*" à Mariel et est reparti ensuite pour les Etats Unis, à l'exception d'un Italien du nom de Nicolo Francisco, qui a préferé accompagner le navire à la côte d'Afrique.

Vous voudrez bien remarquer que Mariel, où le steamer de guerre "Pizarro" s'est perdu dernièrement, à 20 milles ouest de la Havane, n'est pas un port d'entrée; aucun navire ne peut donc y entrer sans avoir été préalablement déclaré en Douane à la Havane; et cependant un navire arrivant directement de New York, a pu entrer dans le port sans entraves et y séjourner sans être inquiété, quoiqu'un vapeur et une corvette de guerre Espagnols s'y trouvassent à l'ancre, et que Mariel soit la résidence d'un Lieutenant-Gouverneur et d'autres fonctionnaires publiques.

Pourquoi cette faveur exceptionnelle? C'est que le susdit navire était destiné à la Traite.

Le "*Lady Suffolk*" a été construit nouvellement à Baltimore par Messrs. Adams, Gray et Fils, et vendu au prix de $28,000 à Don Julian Zulueta, pour lequel il avait été construit spécialement pour la Traite des Nègres.

Après sa mise à l'eau, ce navire se rendit à New York, y prit un nouvel équipage et fit voile le 3 Novembre pour Mariel, où il arriva le 15; le 16 il se rendit à Bahia Honda. Dans la soirée du même jour le steamer "*Isabela*" arriva de la Havane, ayant à bord, outre 70 hommes d'équipage et tout le matériel d'un négriers, 16 canon, de 12 lbs., un obusier et une grande quantité d'armes qu'il transborda immédiatement sur le "*Lady Suffolk.*"

Les matelots Américains y restèrent prisonniers jusques dans la nuit du 22, où il fut remarqué en mer par la "*Sirène,*" qui rentra ensuite à la Havane, où le Capitaine Gray et son fils l'avait précédé.

Le "*Lady Suffolk,*" que l'on dit excellent voilier, a fait voile pour la côte d'Afrique, commandé par un capitaine négrier très connu, qui se vante d'avoir massacré, il y a quelques années, l'équipage d'une embarcation d'un navire de guerre Anglais qui essayait de l'aborder.

Les faits que je vous cite sont connus de tous, et sans nul doute du Capitaine-Général également; mais il a jugé à propos de ne rien faire pour empêcher cette expédition, dans laquelle on prétend qu'il serait, ainsi que la Reine Christine, fortement intéressé.

On estime à 1,200 le nombre de nègres que ramenera le "*Lady Suffolk.*" Le Capitaine Gray ayant remis son registre de bord à notre Consul, Mr. Shankey, il est évident que les papiers que ce navire pourraient avoir sont faux; son commandant est du reste décidé à résister à toute extrémité, à ceux qui voudraient le capturer.

En permettant à un bâtiment de cette description de quitter impunément un des ports de l'île, l'Administration a fourni la preuve irrécusable de sa coupable connivence avec les promoteurs de cette scandaleuse expédition.

Description du Navire.—Le "*Lady Suffolk,*" construit tout nouvellement à Baltimore, jauge 520 tonneaux, ayant à sa proue une figure de femme, tenant d'une main un porte-voix et de l'autre une couronne, et des ailes aux épaules;

le navire, peint entièrement en noir, est spacieux et porte beaucoup de voiles ; son nom se trouvait encore peint à la poupe lorsqu'il quitta Bahia Honda.

Notre correspondant nous donne ensuite les noms des matelots qui montaient le navire à son arrivée à Mariel.

Inclosure 5 in No. 235.

Mr. Doyle to Señor Bonilla.

Mexico, June 20, 1853.

THE Undersigned has the honour to inform his Excellency Don M. Diez de Bonilla, that he has just received a despatch from Her Majesty's Consul at Vera Cruz, communicating the following intelligence from the British Vice-Consul at Laguna de Terminos, with respect to a vessel which has arrived in that port from the Island of Cuba, under the following suspicious circumstances. She is reported to have sailed from Cienfuegos, in the Island of Cuba ; she is called the "*Mariana*," and sails under Mexican colours ; she was navigated by 26 men, with 6 passengers, all of Spanish origin. It is currently reported that this vessel has been engaged in the Slave Trade, and that she has landed lately a cargo of 1,300 negroes in the vicinity of Cienfuegos, which port she left about the 4th of last May, according to her health-certificate, which was granted by Don Fernando Fraire (Teniente de Navio) at Cienfuegos.

There appears to be every reason to suppose that this vessel has been employed in the Slave Trade, from the circumstance of her having on board 300 water-casks and several pieces of artillery in her hold, as has been ascertained from private sources. The original crew of Spaniards have been discharged, and have sailed for the Havana, accompanied by the six persons represented to be passengers, but who are generally believed to be officers of the same ship. A Mexican crew has been hired to refit the vessel under the direction of the master, and it is supposed that a vessel will be sent from the Havana with a fresh crew, and everything necessary for her to sail for the coast of Africa, avoiding the cruizing ground of Her Majesty's ships employed in the suppression of the Slave Trade.

Although the present name of this vessel is the "*Mariana*," she answers in every way to the description of a vessel called the "*Lady Suffolk*," built at Baltimore on purpose for the Slave Trade, and which sailed from the Island of Cuba in the month of last November, direct for the coast of Africa.

The "*Mariana*" has received special permission from the Mexican Consul at Havana to sail under the Mexican flag, and has been authorized by him to go to Laguna de Terminos without calling at Vera Cruz in order to be properly nationalized, as is the usual custom ; neither has the captain of the port of Laguna de Terminos thrown any obstacles in the way of her remaining there, nor have the custom-house authorities shown any disposition to question the correctness of the documents under which she sails as a Mexican vessel.

The Undersigned considers it his duty to lose no time in bringing these facts before the attention of his Excellency Don M. D. de Bonilla, and to inform him that it is his intention to direct Captain Napier, commanding Her Majesty's ship "Daring," now at Vera Cruz, to search this vessel in accordance with the terms of the Slave Trade Treaty existing between this country and Great Britain, and of the special arrangement which the Government of this country entered into with the Undersigned in the year 1851, by which, with the view of affording a renewed proof of its earnest desire to do all in its power to put an end to the atrocious crime in question, Her Majesty's cruizers were authorised to exercise the right of search in all parts of the Gulf of Mexico. The Undersigned is so well aware of the feeling which has been manifested by the present, as well as every other Government ever since the independence of this country, on the Slave Trade question, that he feels no doubt that every facility will be afforded on this occasion to enable Captain Napier to carry into effect the provisions of the above-mentioned Treaty and special arrangement ; and the Undersigned has therefore the honour to request that his Excellency Senor

Bonilla will furnish him with such orders for the authorities at Laguna de Terminos as may ensure their affording Captain Napier such assistance as he may stand in need of to carry his instructions into execution.

(Signed) P. W. DOYLE.

Inclosure 6 in No. 235.

Señor Bonilla to Mr. Doyle.

(Translation.)

My esteemed Friend, *Mexico, June* 20, 1853.

IN accordance with your official note of to-day, I hasten to send you the necessary orders for the authorities of Vera Cruz and Laguna de Terminos respecting the vessel in question. In thus complying with your wishes,

I remain, &c.

(Signed) MANUEL DIEZ DE BONILLA.

Inclosure 7 in No. 235.

Señor Bonilla to the Captain of the Port of Laguna de Terminos.

(Translation.)

(Extract.) *Mexico, June* 20, 1853.

. . . . . AND by his Excellency's orders I write to you, so that should the vessel in question show the signs spoken of in the Treaty with Great Britain for the suppression of the Slave Trade, you and the other authorities of the port will afford Captain Napier all the assistance he may require for the fulfilment of his instructions, as well as of that of the above-mentioned Treaty.

Inclosure 8 in No. 235.

Señor Bonilla to the District Judge of Vera Cruz.

(Translation.)

(Extract.) *Mexico, June* 20, 1853.

. . . . . AND by his Excellency's order I write to you, so that were the above-mentioned vessel to be seized and brought to your port, and showed the signs spoken of in the Treaty celebrated with Great Britain for the suppression of the Slave Trade, you may do whatever is required by the above-mentioned Treaty and by the Law of the 6th August, 1851.

No. 236.

The Earl of Clarendon to Mr. Percy Doyle.

Sir, *Foreign Office, August* 9, 1853.

I HAVE received your despatch of the 3rd ultimo and its inclosures, stating that you had received information from Mr. Shiels, British Vice-Consul at Laguna de Terminos, in Yucatan, that a vessel called the "*Mariana*," but which was supposed to be the celebrated slaver "*Lady Suffolk*," had arrived at that port from Cuba to refit, and reporting the steps which you took to obtain the co-operation of the Mexican authorities for her detention and search.

I have in reply to inform you, that I approve of the measures which you took for that purpose; and I have further to instruct you to convey to Mr. Vice-Consul Shiels my approval of the promptness and energy with which he has acted on this occasion.

I am, &c.

(Signed) CLARENDON.

No. 237.

Mr. Doyle to the Earl of Clarendon.—(*Received September* 1.)

My Lord, *Mexico, August* 2, 1853.

IN my despatch of the 3rd ultimo, I had the honour to state to your Lordship the measures I had taken to have a suspicious-looking vessel, called the "*Mariana*," searched, which had arrived at Laguna de Terminos. I have since then received a despatch from Commander Napier, of Her Majesty's ship "Daring," informing me what had taken place on his arrival at "Laguna de Terminos," and the circumstances which prevented his carrying the search into execution. Immediately on the receipt of that despatch I addressed a note, dated the 10th ultimo, to Senor Bonilla, requesting that a Mexican vessel of war might be sent at once to Laguna de Terminos to search the "*Mariana*," and that the laws of the country should be carried into execution, in virtue of which she should be forced to come to Vera Cruz to be properly nationalised, and that his Excellency would make due inquiries into the conduct of the Mexican Consul at the Havana, who had allowed her to sail from Cienfuegos under the Mexican flag. His Excellency informed me in a note dated the 13th ultimo, that my wishes would be complied with; and in a note dated the 25th ultimo, he informed me that orders had been sent to the authorities at the island of Carmen to take away the Mexican flag and the sailing letters from the master of the "*Mariana*," and order him to come to Vera Cruz for the purpose of having the vessel properly nationalised. Since the receipt of these communications, others have been received from Laguna de Terminos, bringing information, I am sorry to say, that the "*Mariana*" had left that port; but Senor Bonilla has assured me that he has sent strict orders to have the conduct of the local authorities examined into, and that he will have them brought to trial should they have misconducted themselves, as I have no doubt has been the case; and his Excellency has repeated to me the assurances he before gave me that every proper inquiry shall be made into the conduct of the Mexican Consul at the Havana. From part of the contents of a private letter I received from Commander Napier, I had reason to suppose that he was in doubt as to whether he had a right to search suspicious-looking vessels in the Mexican ports, or that he had been given to understand by the authorities at Laguna de Terminos that they could not allow him to do so. I therefore considered it better to set that question at rest, and addressed a note on the subject to Señor Bonilla; and your Lordship will perceive by the answer that I received, that there can be no longer any doubt on that point. Inclosed I have the honour to forward copies and translations of all the communications that have passed between Commander Napier, the Mexican Government, and myself, and of a despatch I have addressed to Her Majesty's Consul-General at the Havana and I shall not fail to communicate to your Lordship all such information as I may hereafter collect, and such measures as I may consider it my duty to adopt to secure the punishment of such persons as may have misconducted themselves, for there can be little doubt but that the vessel which has been allowed to escape, was the noted slaver, the "*Lady Suffolk*."

I have also transmitted copies of my letter to Senor Bonilla, of the 19th of June, and his answer, to Vice-Admiral Sir George Seymour.

I have, &c.

(Signed) PERCY W. DOYLE.

Inclosure 1 in No. 237.

Commander Napier to Mr. Doyle.

Sir, *Her Majesty's sloop "Daring," off Sacrificios, July* 3, 1853.

I HAVE to inform you, that from letters shown me by Her Majesty's Consul, Mr. Giffard, on the 15th ultimo, received from Mr. Shiels, Vice-Consul at Laguna de Terminos, concerning a suspicious vessel that has arrived at that port, I sailed from hence on the 16th, and arrived off the entrance to

Laguna on the 19th. The following morning I proceeded in a boat to the town, and was met off the wharf by the health-officer, who, on being informed that we had come from Vera Cruz, could not permit me to land under fifteen days' quarantine, owing to the epidemic prevailing in this port. Mr. Shiels came off to me and communicated regarding the said vessel, the "*Mariana*," which had arrived there under Mexican colours on the 30th of May, from Cienfuegos in Cuba. At the time I was there he informed me that she was under custom-house detention for informality in her papers, and that her captain had left for Havana to get them properly made out, the vessel having been originally American, and purchased by a Mexican, and as now intended to sail under Mexican colours. She had been, and then was, landing several water-casks: by report she had 300 on board. Not being in pratique, I could not request the authorities to allow me to board, to ascertain if such was the case. From her appearance, size, rig, figure-head, &c., she answers the description of a vessel named the "*Lady Suffolk*," reported in the newspapers some time since, about the month of November last, as having sailed from Cuba for Africa, to be engaged in the Slave Trade. She is reported now to be going to take in a cargo of logwood for Cadiz; and Mr. Shiels told me he considered her being now under the surveillance of the authorities at Laguna, they would see that she sailed from that port properly cleared, and not to proceed at once in the illicit Traffic. From thence I proceeded to Tampico, and having communicated with the Consul, Mr. Cumberlege, found that all was quiet there, and that the visit of Her Majesty's ship would have the desired effect with the authorities of respecting the property of Her Majesty's subjects. I unhappily had the misfortune to lose two officers by the upsetting of a boat in crossing the bar, one a Lieutenant, one a midshipman, and five men. We had a few cases of yellow fever, two of which have terminated fatally. On my return here on the 2nd, I found your letter of the 18th ultimo, which I have the honour to acknowledge, and shall await the arrival of your courier on the 5th; and if I find that you no longer require my presence in the Gulf, shall proceed in the further execution of my orders from Commodore M'Quhae.

I have, &c.

(Signed) GERARD T. NAPIER.

Inclosure 2 in No. 237.

Mr. Doyle to Señor Bonilla.

Mexico, July 10, 1853.

THE Undersigned, Her Britannic Majesty's Minister, has the honour to inform his Excellency Don Manuel Diez de Bonilla that he has just received a despatch from Commander Napier, of Her Majesty's ship "Daring," from which he learns that upon the arrival of that officer at Laguna de Terminos for the purpose of searching the suspicious-looking vessel alluded to in the note of the Undersigned of the 20th ultimo, Commander Napier could not do so, from the authorities in that port having placed his ship in quarantine for fifteen days, on account of the unhealthy state of Vera Cruz. Commander Napier was, however, informed by the British Vice-Consul, Mr. Shiels, that the vessel was detained by the custom-house authorities in consequence of her papers not being in order, but that the captain of the vessel had returned to the Havana to have them properly made out, the vessel having been originally American, but is now said to have been sold to a Mexican citizen, and is intended to sail under Mexican colours. Commander Napier adds, that she was landing water-casks; and further states, that in her appearance, size, figure-head, &c., she answers the description of the "*Lady Suffolk;*" to both of which facts the Undersigned alluded in his before-mentioned note. On all occasions when it has been his duty to touch upon the question of the Slave Trade in his communications with this Government, the Undersigned has met with the greatest desire and promptness on the part of the authorities to dictate every measure which might assist in putting an end to such an

iniquitous Traffic; he feels, therefore, assured that on the present occasion the same line of conduct will be at once pursued and his desire acceded to, namely, that one of the Mexican vessels of war now lying at Vera Cruz should be ordered to proceed at once to Laguna de Terminos, and cause both the vessel to be properly searched and her papers to be duly examined; and that should she be about to sail under Mexican colours, all the laws of the country, with respect to her being authorised to do so, may be duly carried into effect, so as to prevent the possibility of her returning to the Slave Trade, in the prosecution of which there appears to exist such strong suspicions of her having been heretofore engaged. Before concluding this note, the Undersigned considers it his duty to request that his Excellency Don Manuel Diez de Bonilla will be good enough to cause the proper inquiries to be made into the conduct of the Mexican Consul at the Havana, on having allowed this vessel to sail under the Mexican flag without having taken care that her papers were duly in order.

(Signed) PERCY W. DOYLE.

Inclosure 3 in No. 237.

Señor Bonilla to Mr. Doyle.

(Translation.) *Mexico, July* 13, 1853.

THIS day, his Excellency the Minister of War will receive the note which his Excellency Mr. Doyle addressed to the Undersigned, Minister for Foreign Affairs on the 10th instant, with respect to the ship detained at Laguna de Terminos, and which appears to be destined for the Slave Trade, so that his Excellency may with proper despatch issue his orders in conformity with the wishes of his Excellency Her Britannic Majesty's Minister Plenipotentiary.

(Signed) BONILLA.

Inclosure 4 in No. 237.

Señor Bonilla to Mr. Doyle.

(Translation.) *Mexico, July* 25, 1853.

THE Undersigned, Minister for Foreign Affairs, has the honour to acquaint his Excellency Mr. Doyle that he has been informed by the Minister of War, that as the Spanish vessel "*Mariana*" could not nationalize herself in the port of Laguna, from not having the proper legal papers, he had sent orders to the military authorities of the Island of Carmen to take from her the Mexican flag and the sailing permit which she brought from our Consul at Havana, as illegal, and to order her captain, Don Juan Gutierrez, to take her to the Naval Station at Vera Cruz, where, in conformity with the regulations, the proper and legal measures are pursued to nationalize foreign vessels.

(Signed) MANUEL DIEZ DE BONILLA.

Inclosure 5 in No. 237.

Mr. Doyle to Señor Bonilla.

Mexico, July 19, 1853.

FROM the correspondence which the Undersigned, Her Britannic Majesty's Minister, has received from Laguna de Terminos, when Commander Napier of Her Majesty's ship "Daring" proceeded there lately for the purpose of searching a vessel called the "*Mariana*," the Undersigned has reason to suppose that the authorities in the different ports of the State of Yucatan do not clearly

understand the power given by the Law published on the 8th of August, 1851, in this capital, to Her Majesty's cruizers to search suspicious-looking vessels in all parts of the Gulf of Mexico; and the Undersigned is fearful that the misunderstanding on this point, especially by the local authorities in the ports of Sisal and Laguna de Terminos, might tend to render nugatory the provisions of the above-mentioned Law, which was passed for the express purpose of affording to the world a fresh testimony of the sentiments, with respect to this inhuman Traffic of the Slave Trade, which have at all times been so openly manifested by the Mexican Government, should they prevent Her Majesty's cruizers doing their duty in searching in those ports suspicious-looking vessels which may have taken refuge in them, as vessels of that nature have done before on two occasions. The Undersigned has therefore the honour to request that his Excellency Don Manuel Diez de Bonilla will give such orders as will prevent the possibility of any difficulty arising hereafter in carrying into effect the provisions of the Law in question.

(Signed) PERCY W. DOYLE.

Inclosure 6 in No. 237.

Señor Bonilla to Mr. Doyle.

(Translation.) *Mexico, July* 25, 1853.

THE Undersigned, Minister of Foreign Affairs, acknowledges his Excellency Mr. Doyle's note of the 19th instant, in which he expresses his fears that the local authorities of the different ports of Yucatan do not clearly understand the right conceded to Her Britannic Majesty's cruizers by the Law of the 8th August, 1851, to search in all parts of the Gulf of Mexico vessels suspected of being employed in the Slave Trade; this appears from the correspondence his Excellency received from Laguna de Terminos, when Commander Napier entered that port with the object of searching a vessel called the "*Mariana*," and any want of harmony on this point would render nugatory the provisions of the said Law.

The Undersigned, in compliance with the wishes manifested by his Excellency Her Britannic Majesty's Minister Plenipotentiary that orders should be given to the local authorities of Sisal and Laguna de Terminos not to prevent Her Britannic Majesty's cruizers from doing their duty in searching suspicious vessels, which, according to his Excellency, has happened twice already, has notified to-day to the Minister of War to order the said authorities to observe strictly the provisions of the above-mentioned Law, so that in future there may be no recurrence of a difficulty on this point.

(Signed) MANUEL DIEZ DE BONILLA.

Inclosure 7 in No. 237.

Mr. Doyle to Consul-General Crawford.

Sir, *Mexico, August* 2, 1853.

A SUSPICIOUS looking vessel, called the "*Mariana*," arrived lately at Laguna de Terminos from Cienfuegos in the Island of Cuba. This vessel, from the information conveyed to me by Mr. Vice-Consul Shiels, was supposed to be a well-known slaver called the "*Lady Suffolk*." Commander Napier, of Her Majesty's ship "Daring," immediately sailed from Vera Cruz for the purpose of searching her, but could not, it appears, do so from having been placed in quarantine for 15 days by the authorities of Laguna. On the receipt of the report made to me by Commander Napier, I called upon this Government to send a Mexican vessel of war to search the "*Mariana*," and bring her to Vera Cruz, to which port she was bound to come by the laws of this country, to be properly nationalized; and I at the same time requested that due inquiries might be made into the conduct of the authorities at the Isle de Carmen, for having allowed the vessel to remain in that port, as well as into that of the Mexican

Consul at the Havana, who had allowed the vessel to sail under Mexican colours. I regret to say, that before the orders given by the Minister for Foreign Affairs could be carried into execution, the "*Mariana*" had sailed; but as his Excellency Senor Bonilla has promised me that strict inquiries shall be made into the conduct of the Mexican Consul at Havana, I shall feel much obliged by your forwarding me any information you may be able to collect on that subject.

As it appeared to me that Commander Napier either entertained some doubts as to whether he could search suspicious-looking vessels in Mexican ports, or had been given to understand by the authorities at Laguna de Terminos that they could not allow him to do so, I considered it proper to set that question at rest, and you will perceive from the inclosed copies of the communications which have passed between the Mexican Government and myself, that there can be no longer any doubt on that subject.

I have, &c.
(Signed) PERCY W. DOYLE.

Inclosure 8 in No. 237.

Señor Bonilla to Mr. Doyle.

(Translation.) *Mexico, August* 1, 1853.

THE Undersigned, Minister for Foreign Affairs, has the honour to acquaint his Excellency Mr. Doyle, Her Britannic Majesty's Minister Plenipotentiary, that on the 28th ultimo, the Minister of War issued, for the second time, orders for the observance of the Law of the 8th August, 1851, for the prevention of the Slave Trade, by directing the naval authorities and those of Yucatan in no-wise to prevent English cruizers searching suspicious vessels in the ports of that peninsula, and in those of the northern coast, but rather to help them in carrying out the above-mentioned Law.

(Signed) MANUEL DIEZ DE BONILLA.

No. 238.

The Earl of Clarendon to Mr. Doyle.

Sir, *Foreign Office, September* 10, 1853.

I HAVE received your despatch of the 2nd ultimo, reporting the steps taken by you in the matter of the suspicious vessel called the "*Mariana*," which arrived at Laguna de Terminos on the 30th of May last; and I have to acquaint you that Her Majesty's Government entirely approve the notes respecting this matter which you addressed to the Mexican Minister for Foreign Affairs on the 10th and 19th of July.

It is very much to be regretted that this notorious and successful slave-vessel should have been allowed to leave the coast of Mexico without being detained; and with reference to Commander Napier's statement, that as he was in quarantine, he was unable to examine the "*Mariana*," I have to instruct you to report whether Captain Napier, being aware of the suspicious circumstances attending that vessel, should not have kept watch on her and prevented her escape.

I am, &c.
(Signed) CLARENDON.

No. 239.

Mr. Doyle to the Earl of Clarendon.—(Received October 3.)

My Lord, *Mexico, September* 2, 1853.

ON the 2nd of last month, I had the honour to state to your Lordship the several measures which had been taken up to that date to get possession of and

have condemned a vessel called the "*Mariana*," which had arrived at Laguna de Terminos, and which there was every reason to believe was a noted slaver called the "*Lady Suffolk*." One part of the information given to me by Señor Bonilla, I am happy to say, has proved inexact, namely that the "*Mariana*" had left that port.

Since writing the above-mentioned despatch, I have received most detailed information of all that has taken place, from Mr. Shiels, the British Vice-Consul at Laguna de Terminos, who has been unceasing in his efforts to get this vessel condemned, as your Lordship will see by the copies of his despatches which are inclosed herewith; and I again consider it my duty to bring before your Lordship's attention the zeal which Mr. Shiels has shown on this occasion; and I have always found him most anxious to give me the best information of everything taking place within his district, which, in his opinion, may be of benefit to Her Majesty's service.

I have also received information on this subject from Her Majesty's Consul-General at the Havana, as well as a despatch from Commander Napier, of Her Majesty's ship "Daring," the whole of which was embodied in a note I addressed to his Excellency Señor Bonilla on the 22nd ultimo, and which I inclose herewith.

It is but justice to say, that I have met with the greatest desire on the part of his Excellency, as well as on that of the Minister of War, with whom I have been in communication on this affair, to do all in their power to have this case most rigorously examined into, and the vessel condemned, if proved to have been employed in the Slave Trade.

An officer and picked crew have been sent to Laguna to take possession of the "*Mariana*," and bring her to Vera Cruz; and orders have been sent to Señor Viró, now Mexican Minister at Madrid, but who was Consul in the Havana when the "*Mariana*" was at Cienfuegos, to send full information with respect to the issuing of the papers made out for the sale, &c. of that vessel, and which it appears were granted by his nephew, Don Joaquin Soler, who was then in charge of the Consulate, and is now attached to Señor Viró's mission.

Your Lordship will perceive, from the correspondence which has taken place between the Mexican and American Consuls at the Havana and Mr. Crawford, that there can hardly be any doubt but that the papers in question were fraudulently obtained.

I trust that within a very few days the "*Mariana*" will arrive at Vera Cruz, and I shall not fail to give your Lordship the fullest information of everything which may take place with respect to this affair.

I have, &c.
(Signed) PERCY W. DOYLE.

P.S.—I have the honour to inclose copy and translation of an answer I have just received from the Mexican Government, assuring me of their co-operation in this matter. P. W. D.

Inclosure 1 in No. 239.

Vice-Consul Shiels to Consul Giffard.

Sir, *British Consulate, Laguna de Terminos, July* 25, 1853.

SINCE I had the honour of receiving, by separate conveyances, your despatches of 15th and 25th ultimo and 2nd instant, with their inclosures, I have had no opportunity of acknowledging receipt thereof; but circumstances now render it expedient to communicate with you as speedily as possible, by the most direct conveyance that offers for your place, in order to enable you to furnish Her Majesty's Minister at Mexico with information respecting the ulterior proceedings which have taken place in the case of the ship "*Mariana*."

You are already aware of Commander Napier's arrival here on the 20th ultimo, and that from his not having been allowed to land, on account of the quarantine regulations, he had left immediately for Tampico and your place. On his departure I addressed communications, on the 20th and 21st ultimo, to the captain of the port and collector of customs copies of which and of the answers thereto are herewith inclosed.

Such details on the subject of the "*Mariana's*" affair, as were conducive to ascertaining correct information respecting her, was therein requested to be furnished, without delay, as you will learn from the contents of the inclosed writings, containing transcripts of deed of sale of the "*Mariana,*" and of her sea letter and muster-roll, granted under the Mexican Consul's seal at Havana, to Juan Gutierrez, represented in said documents as the master, and a Mexican citizen, but who is enregistered on aforesaid roll as a Spanish subject. This inclosure also contains copy of the "*Mariana's*" list of stores, in which appear manifested as 90 sacks of barley-seed, what is really millet, or African corn; and on it there are entered, as pipes, 300 casks, which, on an average, contained at least 300 gallons each, or in the aggregate, 90,000 gallons of water; besides which, it is reported that she has two iron tanks, and two wooden cisterns of a large size, with several other articles which are generally used in the equipment of African slavers.

On the 11th instant, I handed to the Captain of the Port the instruction addressed to him by the Mexican Government, relative to his co-operating with Commander Napier, as will be perceived by the inclosed copy of my letter to him, with his acknowledgment thereof.

The "Daring" anchored off the port on the 12th, and Commander Napier arrived here in his boat on the 13th instant, but was again prevented from landing on account of the quarantine laws; consequently no search of the "*Mariana*" by him took place. He, however, held a hasty consultation in the harbour, from his boat, with the Captain of the Port and Collector of Customs, when the latter informed him that the "*Mariana*" was detained for want of certificate of clearance in ballast from Cienfuegos.

A few days subsequent to Commander Napier's departure, I learnt that sentence of confiscation had been pronounced against the "*Mariana,*" for this infringement of a ministerial order, on receipt of which intelligence I addressed to aforesaid Collector the communication dated on the 18th instant, copy of which is also inclosed, to which is annexed copy of his acknowledgment of it.

From the tenour of the latter, it is evident that satisfactory answers to the inquiries addressed by me to the Collector are eluded, and that my request to be furnished with copies of the proceedings in the "*Mariana's*" case is evaded, under the pretext of their having already been forwarded to the higher authorities.

It is to be inferred accordingly, that the sentence of confiscation of the "*Mariana,*" pronounced by the Collector, has been sent on to the Minister of Finance at Mexico for his approval, when a sale will immediately take place here on receipt thereof; in which event the moral effect of the steps taken to investigate into the fact of her having been recently engaged on a slaving expedition, will be rendered illusory and of no avail, should she pass into other hands by an ambiguously reputed legal sale, based only on the grounds of her condemnation by a custom-house authority for infringement of a ministerial order, never published as a revenue law of the Republic.

I have, &c.
(Signed) GEO. B. SHIELS.

Inclosure 2 in No. 239.

Vice-Consul Shiels to the Captain of the Port of Laguna de Terminos.

Sir, *British Consulate, Laguna de Terminos, June* 20, 1853.

FROM information conveyed to Her Majesty's authorities at Vera Cruz that the ship "*Mariana*" has been lately engaged in the Slave Trade to the coast of Africa, and has landed a cargo of negroes on the island of Cuba during the month of May last, Her Majesty's sloop of war "Daring" was ordered to proceed to this port, and her commander instructed to investigate into the matter, as this ship is strongly suspected of sailing under false papers.

He arrived here this morning for that purpose, but being restricted from landing in consequence of the quarantine regulations, he preferred proceeding again to sea rather than to undergo the tedious detention imposed on him by the quarantine laws.

Before leaving he instructed me to apply to the authorities here for such

information as would lead to establish the real character of this vessel. I have accordingly the honour to request, in conformity with the Treaty for the suppression of the Slave Trade existing between Great Britain and the Republic of Mexico, that you will have the goodness to allow me to peruse at your office, and to take copies of the papers through which the "*Mariana*" was authorized by the Mexican Consul at Havana to proceed to this port, as well as all those relative to this ship's origin, transfer of original bill of sale, muster-roll, and all such documents as you may have received on her arrival here, which may have led you to believe that she is legally authorized to sail under the Mexican flag.

The appointing of an hour for this purpose which may suit your convenience, and ensure my punctual attendance in an official duty, will manifest the lively interest you take in furthering the views of our respective Governments in suppressing the nefarious Traffic of African slavery.

I have, &c.

(Signed) GEO. B. SHIELS.

Inclosure 3 in No. 239.

Vice-Consul Shiels to the Collector of Customs of Laguna de Terminos.

Sir, *British Consulate, Laguna de Terminos, June* 21, 1853.

INFORMATION having been conveyed to Her Majesty's authorities in the Republic that the ship "*Mariana*," now laying at anchor here, has been lately engaged in a slaving expedition to the coast of Africa, Her Majesty's ship "Daring" was despatched to this port, and her commander instructed to investigate into the matter; but on arrival yesterday he was prevented by the quarantine regulations from communicating with the authorities here on the subject, and proceeded to sea, after leaving me instructions to make the necessary inquiries into it.

In conformity with the tenour of an agreement entered into between Great Britain and the Republic of Mexico to mutually aid and assist in suppressing the Slave Trade in the Gulf of Mexico, I hereby beg to call on you in furtherance of this object, and to request that you will have the goodness to allow me the perusal at your office, and to take copies there of the manifest, list of stores, and any other documents presented to the custom-house authorities by the master of the "*Mariana*" on his arrival here, as also to express a desire that you will also furnish me with all such information as you may have acquired respecting the "*Mariana's*" having been engaged in the Slave Trade, as will be conducive to strengthen the strong suspicions entertained that she sails under false documents, and has been engaged in an illegal trade, as has been publicly reported here.

Your polite attention in naming an hour which may be convenient to you for my attending at your office to procure the information herein requested, will be duly appreciated as manifesting an interest on your part to assist in aiding Her Majesty's authorities to discover the true character of the "*Mariana*."

I have, &c.

(Signed) GEO. B. SHIELS.

Inclosure 4 in No. 239.

The Collector of Customs at Laguna de Terminos to Vice-Consul Shiels.

(Translation.) *Maritime Custom House of the Island of Carmen,*

Sir, *June* 22, 1853.

BY your note of yesterday's date I am informed through Her Britannic Majesty's Consular Agents in the Republic, that the vessel "*Mariana*" anchored in this port, having been recently engaged in the Slave Trade on the coast of Africa, the captain of Her Majesty's sloop "Daring" has been ordered to this port for the investigation of the case, but that having been prevented

landing from quarantine regulations, he set sail again, leaving you to investigate this affair.

With this object you address this office with the object of acquiring such information as may clear up the accusation brought against the "*Mariana*," and disposed as I am to give you a proof of the loyalty and openness which direct the administration of this office, which never harbours crime, and much less such as offends the fair name of the Republic which I have the honour to serve, you may come to this office when you like, and be assured of the treatment you deserve.

I have, &c.
(Signed) PEDRO C. PEREZ.

Inclosure 5 in No. 239.

The Captain of the Port of Laguna de Terminos to Vice-Consul Shiels.

(Translation.)

Sir, *Port Captain's Office, Carmen, June* 23, 1853.

I HAVE the honour to answer your note of the 20th instant, asking whether documents can be produced showing whether the national vessel "*Mariana*" has been employed in the Slave Trade on the coast of Africa, and I have to say that from the papers which I find in this office it only appears that the "*Mariana*" was the property of the American citizen William Smith, and that he sold it to the citizen Juan Gutierrez, who had full powers from Don José Ruiz, Mexican citizen and merchant in Mexico.

Doubtless the Mexican Consul in Havana did not remember when granting his provisional permit for the said vessel that such documents were not valid in this port, because they ought to be issued by the marine authorities at Vera Cruz; but as the delivery of the permit is only valid for this port (Laguna), I could not send the vessel to the port whither she ought to have gone. But I have sent a paper to Vera Cruz so that she may be examined after having been despatched from this Custom House, which has embargoed her for want of some necessary document.

With respect to facilitating your search for the documents by which the said ship "*Mariana*" has been made legally Mexican, I see no objection to your examining them and taking copies, so as to destroy the suspicions she has given rise to. You may, therefore, come to this office and I shall have the pleasure of showing you these documents for the object indicated in your note.

I have, &c.
(Signed) JUAN LARA BONIFAZ.

Inclosure 6 in No. 239.

Deed of Sale of the "Mariana."

(Translation.) *Mexican Consulate, Havana.*

ON the 13th May, 1853, the citizen of Mexico, Don J. Gutierrez, presented himself before me, having full powers from Don J. Ruiz, also a Mexican citizen residing in Mexico; he said: —

Having acquired in the name of his client the property of the American vessel called the "*Mary*," anchored in the port of Cienfuegos, according to the official document which was passed this day from the American Consulate to the undersigned Mexican Consul, he wished to obtain his rightful deed of ownership.

Consequently, Don Juan Gutierrez, representing Don J. Ruiz, and Captain William Smith, the first buyer, and second seller of the American ship "*Mary*," having appeared before me and the undersigned witnesses, the following deed was drawn up:—

"Captain Smith, empowered by Mr. Henry West, a Boston merchant, and with the authorization of this Consul, sells to the Mexican captain, Don J. Gutierrez, empowered by Don J. Ruiz, the American ship '*Mary*,' anchored in the Bay of Cienfuegos, together with its masts, tackle, sails, anchors, chains,

rigging, boats, and fixtures, as enumerated in the inventory presented by the said captain.

"The said ship measures 410 tons; length of keel 120 feet, total length 132 feet, depth of hold 17 feet, and 32 feet broad.

"The said Captain Smith sells the said ship for 16,800 dollars, for which sum he gives the full receipt, and is entirely satisfied therewith, and gives up all right to this vessel, and draws up in favour of the buyer, Don Juan Gutierrez, the fullest receipt for his security, and gives up all right whatever to the said vessel '*Mary*,' renouncing all manner of share in her to the said buyer, Don Juan Gutierrez, empowered by Don J. Ruiz, that he may own the said vessel, and either keep her, change her, or mortgage her, as being his own ship, acquired by a legitimate title.

"Don Juan Gutierrez accepts, in the name of Don J. Ruiz, this sale, and acknowledges himself as the buyer of the ship '*Mary*,' with all its gear and everything enumerated in the inventory."

Accordingly, through the interpreter, Don Fernando Ruiz, all this was read to Captain Smith; and I affirm him to have been willing, and that the contents of this deed of sale is quite correct, and signed by both parties, being present as witnesses Don Ramon Diez, Don Cipriano Muñoza, and Don Fernando Elias.

(Signed) JUAN GUTIERREZ.
WILLIAM SMITH.
FERNANDO RUIZ.
CIPRIANO MUNOZA.
FERNANDO ELIAS.

Before me,

(L.S.) (Signed) JOAQUIN SOLER.

The foregoing document is the faithful copy of the original, which is inscribed in the 44th page of the Book A of this Consulate, in my charge.

Accordingly, and for the ends proposed, I give my witness to this on the 13th of May, 1853.

In the absence of the Consul,
(Signed) JOAQUIN SOLER.

Inclosure 7 in No. 239.

Bond.

Mexican Consulate.

IN consequence of the demand made upon this Consulate by the citizen Juan Gutierrez, captain of the ship "*Mariana*," desiring that his vessel may be nationalized as being the property of a Mexican citizen, Don J. Ruiz, as shown in the deed of purchase, drawn up in this Consulate on the 13th May, presented himself Don Valentin Cerujo, merchant of this place, to-day, the 13th May, 1853, before me, the Consul, and the undersigned witnesses, and said, that to fulfil the laws, he pledged his property present and to come, for the object of offering bail to the amount of two-thirds of the purchase-money of the "*Mariana*," making himself responsible for that amount, should any illegal use be made of the provisional deed of nationality demanded by Don Juan Gutierrez, for the purpose of navigating the said vessel under the Mexican flag.

In virtue of which I sign the present paper, at Havana, in the Mexican Consulate, on the afore-mentioned date, in the presence of Don Ramon Diaz, Don Cipriano Muñoza, and Don Fernando Elias.

(Signed) VALENTIN CERUJO.
RAMON S. DIAZ.
CIPRIANO MUNOZA.
FERNANDO ELIAS.

Before me,
(Signed) JOAQUIN SOLER.

The foregoing is a faithful copy of that which is inscribed in the 47th page of the Book A of this Consulate under my charge.

Consequently, and for the ends desired, I give my present testimony to it, on the 13th May, 1853.

In the absence of the Consul,

(L.S.) (Signed) JOAQUIN SOLER.

Inclosure 8 in No. 239.

Permit.

Mexican Consulate, Havana.

THE Consul in the Havana declares that Don Juan Gutierrez, Mexican citizen, a sailor by profession, and empowered by Don J. Ruiz, merchant of Mexico, has duly proved, conformably to the laws of the Republic, that he has acquired possession for his client of the ship called the "*Mariana*," and that wishing to hoist the national flag, he requires the requisite deed of naturalization, and patent of nationality. I declare the said ship "*Mariana*," of 410 tons burthen, and of the following dimensions, namely, length of keel 120 feet, total length 130 feet, width 32 feet, and 17 feet deep, has the right to navigate under the Mexican flag; and, consequently, I grant the required sailing Permit to Don Juan Gutierrez, merchant-captain, so that he may sail out of the port of Cienfuegos, where the said vessel is anchored, and go to the port of Laguna de Terminos, for which voyage alone the said permit shall be valid, and where he shall present himself to the proper authorities to obtain the national patent.

Therefore I beg all authorities, civil and military, and also naval officers, captains of men-of-war, and all other authorities, either Mexican or foreign, who may see this Permit, to consider this vessel as a Mexican one, and therefore not to put any obstacle to her voyage, but, on the contrary, to facilitate it, and to afford any assistance required.

The present provisional sailing Permit, valid only for this voyage, has been issued in the Mexican Consulate at the Havana, May 13th, 1853.

In the absence of the Consul,

(L.S.) (Signed) JOAQUIN SOLER.

Inclosure 9 in No. 239.

Provisional Roll of Outfit.

Mexican Consulate at Havana.

PROVISIONAL ROLL of the outfit of the national frigate "*Mariana*," of 410 tons burden, and of whom Don Jose Ruiz, of Mexico, is owner, under the command of Captain Don Juan Gutierrez; made in the port of Cienfuegos, and bound to Laguna de Terminos, with the following crew:—

Rank.	Name.	Country.	Registered.
Captain and Pilot	Juan Gutierrez	Cadiz	Barcelona
Mate	Francis Just	Do.	Do.
Boatswain	Carlos Priez	Barcelona	Alicante
Cook	Pedro Gutierrez	Malaga	Cadiz
Seaman	Jose Gill	Do.	Do.
Do.	Pedro Sauz	Barcelona	Do.
Do.	Juan Zuazey	Malaga	Do.
Do.	Ant. Rich	Valencia	Do.
Do.	Ed. Perez	Santander	Santander
Do.	Fran. Solar	Do.	Do.
Do.	Miguel Rossi	Italia	Parma
Do.	S. Lino	Barcelona	Cadiz
Do.	Jose Gurin	Do.	Barcelona
Do.	Cip. Pacheco	Cadiz	Do.
Do.	Ed. Paz	Do.	Cadiz
Do.	Fern. Semati	Do.	Do.
Boy	Ant. Pardo	S. Sebastian	Malaga
Do.	Joaq. Mila	Almeria	Do.
Do.	Ramon Ros	Barcelona	Barcelona
Cabin Boy	Dion. Mora	Do.	Do.

I hereby grant leave to said captain to proceed with the vessel and crew above specified to the port of Laguna, to which place solely this provisional roll will serve him, and where he must provide the vessel with all the documents required by law. Said captain takes as passengers, Don J. Antonio Mestres, Don Rufino Salamanca, Don Felipe Dominguez, Don Juan Navarro, Don Manuel Mestoso, Don Patricio Alvajez.

Given in the Havana, this 13th day of May, 1853.

For absence of Consul,

(L.S.) (Signed) JOAQUIN SOLER.

Mexican Consulate, Havana.

I hereby certify that the foregoing documents are true and faithful copies of the entries which exist in the Book A, Protocolo of this Consulate, pages 44 to 47 inclusive. In testimony whereof I give these presents, in the Havana, this 28th day of July, 1853.

(L.S.) (Signed) RAMON CARBALLO,
Mexican Consul.

I, Juan E. Bonifaz, captain in the navy, and captain of the port of this town, do hereby certify that the foregoing documents are copies of the originals which exist in the archives of this office.

(L.S.) (Signed) JUAN E. BONIFAZ.

Carmen, June 22, 1853.

Inclosure 10 in No. 239.

Manifest.

Laguna de Terminos, May, 31, 1853.

MANIFEST of PROVISIONS, made by the Captain of the Mexican frigate "*Mariana,*" arrived from the port of Cienfuegos, and bound to Laguna de Terminos.

Barrels of beef	14
,, of pork	8
,, of	5
,, of lard	3
,, of vinegar	8
,, of peas	3
,, of rum	5
,, of damaged biscuit	5
,, of beer	1
,, of salt	0½
,, of damaged flour	0¼
Cases of sugar	1
,, of cheese	0½
,, of tea	1
,, of damaged codfish	4
Barrels of cider	3
,, of hock	1½
Bags of red beans	3
,, of white beans	3
,, of rice	3
Barrels of fresh biscuit	2
Bags of damaged barley	90
,, of bacon	2
,, of coffee	2
Kegs of butter	3
,, of olives	2
,, of tunny-fish	2
,, of dried beef	4
Cases of almonds	0½
,, of wine	8
Bottles of muscatel wine	10
,, of cherry brandy	16
,, of sweet almonds	6
,, of olive oil	2
Cases of sweetmeats (4 large, 6 small)	10
,, of medicines	2
Rolls of matting	6
Water (pipes)	300
Ballast	
Muskets	25

(L.S.) (Signed) JUAN GUTIERREZ.

The Collector of the Maritime Custom House of the port of the Island del Carmen hereby certifies that the foregoing list of provisions coincides with that which was presented in this office by the captain of the ship "*Mariana*," Don Juan Gutierrez, which, coming from Cienfuegos, anchored in this port the 31st day of May last. In testimony whereof I give these presents in the Maritime Custom House of the Island of Carmen, this 22nd day of June, 1853.

(L.S.) (Signed) PEDRO C. PEREZ.

Inclosure 11 in No. 239.

Vice-Consul Shiels to the Captain of the Port of Laguna de Terminos.

Sir, *British Consulate, Laguna de Terminos, July* 11, 1853.

THE inclosed communication addressed to you by his Excellency the Minister for Foreign Affairs at Mexico, on the subject of the ship "*Mariana*," now at anchor in this port, was sent to me under cover from Her Majesty's Consul at Vera Cruz, with instructions to hand it over to you immediately on receipt thereof. I have, therefore, the pleasure, in complying with these instructions, to beg that you will acknowledge its receipt, in order to enable me to advise officially Her Majesty's authorities at Mexico of its having passed into your hands.

I have, &c.

(Signed) GEO. B. SHIELS.

Inclosure 12 in No. 239.

The Captain of the Port of Laguna de Terminos to Vice-Consul Shiels.

(Translation.) *Office of the Captain of the Port del Carmen,*

Sir, *July* 12, 1853.

I HAVE the honour of answering your note of the 11th of the present month, in which you inclosed an order to me from the Minister of Foreign Affairs, respecting the vessel "*Mariana*," arrived in this port, and I am ready to obey the order so conveyed to me, as soon as Her Britannic Majesty's brig of war "Daring" arrives in this port.

I have, &c.

(Signed) JOHN E. BONIFAZ.

Inclosure 13 in No. 239.

Vice-Consul Shiels to the Collector of Customs at Laguna de Terminos.

Sir, *British Consulate, Laguna de Terminos, July* 18, 1853.

SINCE I had the honour of being present, on the 18th instant, at the interview between you and Commander Napier, of Her Majesty's ship "Daring," relative to the affair of the ship "*Mariana*," I have learnt that you have declared the latter as confiscated, and that you have taken possession of her to carry into effect the sentence of condemnation pronounced against her, as the parties here representing the interest of her owners have agreed to conform themselves to its tenour.

It being a duty incumbent on me in the present instance to make Her Majesty's Minister Plenipotentiary at Mexico acquainted with the proceedings carried on here against the "*Mariana*," and with the grounds on which is based the resolution for her condemnation, I, therefore, beg to request that you will be so kind as to furnish me with the following information for the accomplishment of that object; to wit:—

1. Is the sentence of condemnation pronounced against the "*Mariana*" solely a consequence of non-compliance, on the part of those concerned in her, with the revenue laws of the Republic of Mexico?

2. What is the purport and stipulations of the law infringed on? Since

what date has it been enforced, and in what other instances has its practice been carried into effect here, or in other ports of the Republic?

3. Have you, in conformity with your assurances to Commander Napier, taken steps to institute and inquire into the true character of the "*Mariana*," or have you entered into any investigation of the reason for having on board an extraordinary number of cisterns and water-casks, and of other articles generally used in the equipment of vessels employed in the African Slave Trade?

4. Has the result of your investigations into the "*Mariana's*" character as a slaver proved sufficiently important to have induced you to place the evidence on the subject before a competent tribunal, in order to promote a judicial inquiry into the matter?

At the same time that you favour me with answers to the preceding questions, I beg you will be so kind as to add thereto copies of the proceedings which have led to the "*Mariana's*" condemnation, and of the investigation into her having been employed in the Slave Trade,—a statement of which you will have, no doubt, laid before a judicial authority. Your kind compliance therewith will furnish me the means of providing Her Majesty's Minister at Mexico with the full and clear details which he required respecting the present state of the "*Mariana*" case.

I have, &c.
(Signed) GEO. B. SHIELS.

Inclosure 14 in No. 239.

The Collector of Customs at Laguna de Terminos to Vice-Consul Shiels.

Maritime Custom House of the Island of Carmen,
July 21, 1853.

THE Undersigned, Collector of the Maritime Custom House, has the honour to acknowledge the receipt of a note addressed to him by Mr. Shiels, Her Britannic Majesty's Vice-Consul in this port, under date of the 18th instant, in which he states that the frigate "*Mariana*," carrying Mexican colours, and now at anchor in this bay, has been confiscated by this custom-house for not having presented within the time by equity allowed, nor for some time afterwards, the documents which by the laws of the Republic she ought to have presented in this office immediately on her arrival. That the attorney of the captain of said vessel, convinced of the legality of the decision, and probably understanding the uselessness of attempting judicial proceedings against the confiscation of the vessel, and not finding himself in a position to do so from want of the necessary funds, had no alternative but to submit to the measure; that in consequence this custom-house forthwith took possession of the "*Mariana*," but bearing in mind its duties in the case, and all of which the Undersigned had the honour of communicating to Mr. Napier, commander of Her Britannic Majesty's brig "Daring," in his interview of the 13th instant, without a moment's loss of time he passed over the legal documents to the District Judge of the State, with all the antecedents which combine to prove that the vessel in question was formerly engaged in the criminal Traffic of Slaves, as by the 140th Article of the Tariff now in force in the maritime custom-houses and frontiers, of the 4th October of 1845, the case devolved upon this functionary; the Undersigned having previously transmitted copies of said legal documents to the supreme Government, as the law requires. This is, therefore, the reason which prevents the Undersigned from furnishing Mr. Shiels with the copies, as he would have done with great pleasure had he possessed the necessary data.

Finally, the Undersigned fully appreciates Mr. Shiels' proceedings in this case, in having procured the necessary information with great care for transmission to his Excellency Her Britannic Majesty's Minister Plenipotentiary; for by this means the accusation of indolence on the part of this office will probably not be repeated, as happened when Mr. Shiels forwarded his first advices on this business; and although Mr. Shiels has since had the kindness to show verbally to the Undersigned that the above error arose from his ignorance

of the measures which this office had taken against the said vessel; still if this can be looked upon as satisfaction, the fact has probably until now not become known generally, and Mr. Sheils cannot help feeling the impression naturally made on a public servant by an occurrence of such a disagreeable nature.

The Undersigned, &c.

(Signed) PEDRO C. PEREZ.

Inclosure 15 in No. 239.

Mr. Doyle to Señor Bonilla.

Mexico, August 22, 1853.

THE Undersigned, Her Britannic Majesty's Minister Plenipotentiary, has the honour to inform his Excellency Don Manuel Diez de Bonilla that he has received information from the British Vice-Consul at Laguana de Terminos, as well as from Her Majesty's Consul-General at the Havana, and Captain Napier of Her Majesty's ship "Daring," with respect to the vessel which arrived lately at the former port under the name of the "*Mariana*." That information, in the opinion of the Undersigned, tends clearly to prove that the vessel in question is no other than the "*Lady Suffolk*," well known to have been lately employed in the Slave Trade, and from which 1283 negroes were landed in the month of May last, at Cienfuegos in the island of Cuba, from which port the so-called "*Mariana*" arrived at Laguna de Terminos, on the 30th of last May. The Undersigned is so well aware of the determination of the present Government to carry out most strictly the terms of the Treaty entered into with Great Britain for the abolition of the Slave Trade, as well as the laws of the country on that subject, that he loses no time in communicating to his Excellency Señor Bonilla all the information he has received, considering that it may be useful to his Excellency in the investigation about to be made with respect to the "*Mariana*." The statements of Mr. Shiels, the British Vice-Consul at Laguna de Terminos, are to the following effect:—That subsequent to the first visit of Her Majesty's ship "Daring" to that port, when her commander, Captain Napier, was not permitted to land from quarantine regulations, Mr. Shiels addressed official communication to the Collector of the Customs and Captain of the Port, requesting to be furnished with every information with respect to the "*Mariana*," and with copies of the deed of sale, muster-roll and sea-letter granted by the Mexican Consul at the Havana, as well as the list of slaves on board the "*Mariana*." Copies of those documents were given to Mr. Shiels, and which the Undersigned is aware have also been forwarded to this Government. From them it appears that in the deed of sale, Juan Gutierrez is stated to be a Mexican citizen, and the representative, as purchaser, of the "*Mariana*" for another Mexican citizen of the name of Juan Ruiz, who is also stated to be a native of this country, and living in Mexico, whereas on the muster-roll Gutierrez is entered as master and pilot, as a native of Cadiz, and matriculated at Barcelona. In the list of stores appeared 90 sacks of barley-seed, but which in reality was millet or African corn; 300 casks were entered as pipes which could contain on an average 300 gallons each of water, or in the aggregate 90,000 gallons of water; besides which the "*Mariana*" is reported to be fitted with two iron tanks, and two wooden cisterns of a large size, with several other articles generally used in the equipment of African slavers. It appears, that at first the only step taken by the local authorities at Laguna de Terminos was to demand security that the vessel's clearance from Cienfuegos in ballast should be produced within 40 days, although, from the contents of her list of stores, there were reasons sufficiently to suspect her having been recently engaged in the Slave Trade, and instead of preventing the discharge of any part of her cargo, the water-casks were allowed to be landed at the consignee's stores, emptied, and taken to pieces, as well as a large quantity of fire-wood, and other articles of a suspicious nature; 300 quintals of logwood were allowed to be embarked, on the plea that ballast was required, thus getting her partially ready for sea; although the vessel was detained under such suspicious circumstances, the Spanish captain was still left in full possession of her, and employed himself in painting, disfiguring her rig, disguising her outwardly, mutilating the

ornaments on her figure-head, and destroying the carvings on her stern, by which it was to be feared she would be known. On the 12th ultimo, Commander Napier paid a second visit to Laguna de Terminos; on that evening the "*Mariana*" was lightened by the stern 2 feet, from there having been hove overboard, as was currently reported, a large quantity of shot, ammunition, shackles, manacles, and other articles which it was considered dangerous to keep on board under the apprehension of the vessel being strictly searched. Captain Napier was assured that the Collector of the Customs put her under seizure, first, for not having proper papers from the port she left, as well as from the Mexican Consul at that port; and secondly, on suspicion of her having been engaged in the Slave Trade; but that those charges would not be examined into, until he received instructions from Mexico in answer to a report he had made on the 1st of last June; whereas it appears that the condemnation of the vessel has since been pronounced on the first charge alone,—the other one not having been examined into. On the arrival at the Havana of Commander Napier, he communicated to Mr. Crawford, Her Britannic Majesty's Consul-General in that island, copies of the "*Mariana's*" sailing-papers; which upon being examined carefully by Mr. Crawford, he found that they were issued in consequence of official communications addressed by the Consul of the United States to that of Mexico, and which communications are referred to, and said to be in the archives of the latter Consulate. Mr. Crawford lost no time in inquiring into the reality of those statements, and the Undersigned has the honour to inclose herewith, for the information of his Excellency Don M. Diez de Bonilla, copies of the correspondence which has passed between Mr. Crawford and the Mexican and American Consuls, by which his Excellency will see that not only no such communications as were stated to have taken place ever were made by the Consulate of the United States, but that no traces of documents are to be found in either Consulate. It is clear, therefore, that the papers of the "*Mariana*" have been fraudulently obtained. An act of such a nature the Undersigned feels assured will meet with the strictest investigation on the part of the Mexican Government, and every person connected with such a transaction will incur at its hands the punishment due for so foul an act. The Undersigned is aware that an officer and crew have been sent to Laguna de Terminos to bring the "*Mariana*" to Vera Cruz, and he has considered it his duty to bring all the above facts before the Mexican Government without loss of time, considering their importance, and the assistance they may render in enabling it to condemn this vessel, which there can be no doubt is the well-known slaver, the "*Lady Suffolk*," and thus afford to the world this renewed proof of its determination to use every means in its power to put an end to so deep a crime as buying and selling human beings.

The Undersigned, &c.

(Signed) PERCY W. DOYLE.

Inclosure 16 in No. 239.

Consul-General Crawford to the Mexican Consul at Havana.

(Translation.)

Sir, *Havana, July* 27, 1853.

BE pleased to certify whether these are exact copies, word for word, of certain documents which were issued on the 13th May, from the Mexican Consulate (then in charge of Don Joaquin Soler, acting for the Consul, Don Buenaventura Viró), legalizing the ship "*Mariana*," formerly the "*Mary*," which afterwards sailed from Cienfuegos to Laguna de Terminos, under circumstances which are explained in the documents above referred to, and which I have the honour to inclose herewith.

The said vessel, you know officially, has been detained by the Mexican authorities in Laguna de Terminos, in consequence of certain informalities, and from being suspected of having been employed in the Slave Trade, and hence it becomes necessary to explain the circumstances under which she was legalized as a Mexican ship.

I hope you will provide me with certified copies of the documents in

question, which the Mexican Consulate received on the 13th of May from the United States' Consul in this place, in order that the title-deeds may be granted.

These two documents, which are indispensable for the legalization of the said vessel, are doubtless to be found in the archives of the Consulate under your charge; and there can be no impropriety in giving me the copies I require, so that they may be verified by the Agent in charge of the American Consulate in this place, and afterwards remitted, all complete, to his Excellency the British Minister at Mexico, for ulterior purposes.

I have, &c.

(Signed) JOSEPH T. CRAWFORD.

Inclosure 17 in No. 239.

The Mexican Consul at Havana to Consul-General Crawford.

(Translation.)

Sir, *Havana, July* 28, 1853.

IN answer to your note of yesterday, I have the honour to return, legalized, the documents you ask me copies of; for I find them textually inscribed, on the 13th of May, in the archives of the Consulate in my charge, from the 44th to the 47th page inclusive. I do not legalize the sailing permit, and the muster roll, as I find no trace of them whatever.

Nor can I gratify you by remitting certified copies of the note addressed to this Consulate by the American Consul here, nor the legal authorization presented, from the American Consul, by Mr. William Smith, as empowered by Mr. Henry West, a Boston merchant, to sell the vessel "*Mary*," anchored in Cienfuegos, to Don Juan Gutierrez, empowered by Don J. Ruiz; for up till now I have been unable to find them in the archives of the Consulate, in my charge only since the 17th of last May.

I have, &c.

(Signed) RAMON CARBALLO.

Inclosure 18 in No. 239.

Consul-General Crawford to the United States' Consul at Havana.

Sir, *British Consulate-General, Havana, July* 27, 1853.

I TRANSMIT to you herewith, for your perusal, requesting that they may be returned to me afterwards, copies of papers which it appears were issued from the Mexican Consul at this place, for a ship to be put under that flag on the 13th of May last. The ship referred to was a slaver, and was formerly the American vessel, the "*Lady Suffolk*," whose history I need not go into, because it is already known in your Consulate; but I may add to your information respecting the said ship, that after she had ceased to carry the American flag, she went to Africa, and from thence brought a cargo of negro-slaves, which were landed at a place to the westward of Cienfuegos, on the south side of this island, in that jurisdiction, with connivance of the Spanish authorities, as there is reason to believe. As the ship referred to (formerly the "*Lady Suffolk*") had no papers under which to navigate, it seems that a scheme was got up to obtain for her the Mexican flag; and you will see, by the documents which I am now enabled to lay before you, that it is stated therein, that they were issued upon the certificates and papers which are referred to as having been presented at the Mexican Consulate on the 13th of May last, in an official letter addressed by the United States' Consul to the Consul for Mexico (who subscribed the sea-letter of the ship referred to), requesting that a bill of sale might be extended for the said vessel, and also that William Smith, as the attorney of Mr. Henry West, of Boston, owner of the American ship "*Mary*," then (on the 13th of May last) said to be laying in the harbour of Cienfuegos, of the burden of 410 tons, &c., and was competently authorized to sell the said ship "*Mary*," to Don Juan Gutierrez, who became the purchaser. Now, as I have some reason to believe that

there has been a great fraud in this whole matter, and as there can be little doubt that the papers which were so obtained at the Mexican Consulate in this city were to cover, if possible, a ship which had been just before that date engaged in the Slave Trade, no such ship as the American ship "*Mary*," William Smith, master, having been then, or at any time, in the harbour of Cienfuegos; and that the ship which carried the Mexican papers so fraudulently obtained, was in reality the slaver formerly the "*Lady Suffolk*," which, under the assumed name of the "*Mariana*," arrived at Laguna de Terminos, in Yucatan, about the 30th of May last, where she has been detained by the Mexican authorities; I have to request that you will do me the honour to inform me, officially, whether there is any record in the United States Consulate, now under your charge, of the transaction stated upon the papers issued to the "*Mariana*," as having originated by authority of the then Consul Sharkey; whether there is any knowledge or record of the ship "*Mary*," William Smith, master, having been, about the 13th of May, at Cienfuegos; and that said master, as attorney, duly authorized by H. West, of Boston, owner of said vessel, was certified by Mr. Consul Sharkey, to the Mexican Consul, as entitled to sell said American ship "*Mary*."

I have, &c.
(Signed) THOMAS CRAWFORD.

Inclosure 19 in No. 239.

The United States' Consul at Havana to Consul-General Crawford.

Sir, *Consulate of the United States, Havana, July* 28, 1853.

YOUR communication of the 27th instant, with the accompanying documents from the Mexican Consulate here, have been received, and their contents duly noted. In answer to your queries respecting a letter, or any other authority from Judge Sharkey, the late Consul, authorising the transfer of the ship "*Mary*," William Smith, master, I have to say that I have carefully examined the records of this office, and find no mention made of such a ship, or anything alluding to or having reference to her or any of the parties named in the papers emanating from the office of the Mexican Consul at Havana. From the examination of these papers, the whole transaction, it would seem, was begun and ended in fraud; for if the Mexican Consul had produced to him a communication from Consul Sharkey, it must have been a forged document; but even so, it appears to me that the document ought to be on record in the Mexican Consul's archives. For how could the Mexican Consul have given a register, and mentioned that he had that document in his possession, unless he had it, or unless he stated a gross falsehood in the document issued by him, and which I perceive are all signed by "Joaquin Soler," *en ausencia del Senor Consul?*

I have, &c.
(Signed) WM. H. ROBERTSON.

Inclosure 20 in No. 239.

Señor Bonilla to Mr. Doyle.

(Translation.) *Mexico, August* 29, 1853.

THE Undersigned, Minister for Foreign Affairs, has received his Excellency M. Doyle's note of the 22nd instant, communicating the information he had recently received respecting the ship "*Mariana*," and he immediately passed a copy of this note and of the accompanying documents to the Minister of War and Naval Affairs, so that that department may issue the orders necessary for the prompt termination of this business.

The Undersigned, in thus answering his Excellency, has to assure him that the Supreme Government, in addition to the proof already given of its determination to put an end to the abominable Traffic in Slaves, will put forth

all its energy on the present occasion to settle this case in a manner worthy of, and satisfactory to, both Governments.

The Undersigned, &c.

(Signed) MANUEL DIEZ DE BONILLA.

No. 240.

The Earl of Clarendon to Mr. Doyle.

Sir, *Foreign Office, October 22, 1853.*

I HAVE received your despatch of the 2nd of September, inclosing copies of your further correspondence with Senor Bonilla, the Mexican Minister for Foreign Affairs, respecting the proceedings of the authorities of the port of Laguna de Terminos, in the matter of the slave-vessel "*Lady Suffolk*," and I have to acquaint you that Her Majesty's Government approve the applications which you have addressed to the Mexican Government respecting this matter. You will express to Señor Bonilla the acknowledgments of Her Majesty's Government for the ready co-operation and assistance which he has afforded you in exposing the real character of this vessel, and in bringing her present owners to justice; and you will at the same time state to his Excellency that Her Majesty's Government trust that the Government of Mexico will follow up closely the inquiry which you inform me they have set on foot with regard to the suspicious conduct of Señor Viro, in his office of Mexican Consul at Havana, reported to you by Mr. Crawford, whereby the owners of the "*Lady Suffolk*" were enabled to obtain Mexican papers for that vessel.

I am, &c.

(Signed) CLARENDON.

No. 241.

The Earl of Clarendon to Vice-Consul Sheils.

Sir, *Foreign Office, October 25, 1853.*

HER Majesty's Minister in Mexico has drawn the attention of Her Majesty's Government to the praiseworthy zeal and activity which you have shown in assisting to expose the real character of the vessel called the "*Mariana*," which arrived at Laguna de Terminos on the 30th of May last; and I have the satisfaction of informing you that Her Majesty's Government entirely approve your conduct in this matter.

I am, &c.

(Signed) CLARENDON.

No. 242.

Mr. Doyle to the Earl of Clarendon.—(Received November 2.)

My Lord, *Mexico, October 3, 1853.*

BY the last packet I had the honour to receive your Lordship's despatch, and I shall not fail to take the earliest opportunity of communicating to Mr. Vice-Consul Shiels your Lordship's approval of the promptness and energy with which he has acted on this occasion. Since I last had the honour to address your Lordship on this subject, the "*Mariana*" has been brought to Vera Cruz by the Mexican officer and crew sent for that purpose, and your Lordship will perceive by the inclosed correspondence which has passed between the Mexican Government and myself, that she has been handed over to the District Judge, who has been directed to act with energy, and in strict

accordance with the terms of the Treaty existing between the two countries, and of the Law issued for the suppression of the Slave Trade by the General Congress on the 8th of August, 1851. I have little doubt but that the vessel will be condemned; but I have directed Her Majesty's Consul at Vera Cruz to watch strictly all the proceedings, and make an immediate report to me should any of the local authorities make any attempt to evade carrying the instructions sent to them into effect; and I trust when I next have the honour of writing to your Lordship, that it will be in my power to inform you that this noted slaver has been condemned.

I have, &c.
(Signed) PERCY W. DOYLE.

Inclosure 1 in No. 242.

Señor Bonilla to Mr. Doyle.

(Translation.) *Mexico, September* 11, 1853.

THE Undersigned has the honour to acknowledge the receipt of Mr. Doyle's note of the 5th instant, inclosing copies of documents relating to the ship called the "*Mariana*," and having read their contents, he has the honour to renew his assurance of consideration.

(Signed) MANUEL DIEZ DE BONILLA.

Inclosure 2 in No. 242.

Señor Bonilla to Mr. Doyle.

(Translation.) *Mexico, September* 23, 1853.

BY the inclosed copy, which the Undersigned, the Minister for Foreign Affairs, has the honour to forward to his Excellency Mr. Doyle, his Excellency will perceive that the Supreme Government have issued orders to bring the case of the "*Mariana*" before the District Judge of Vera Cruz, recommending promptitude in the business.

This measure will afford his Excellency Mr. Doyle a proof of the earnest desire of this Government to fulfil all the obligations of the Treaty between Great Britain and Mexico for the abolition of the Slave Trade.

I have, &c.
(Signed) MANUEL DIEZ DE BONILLA.

Inclosure 3 in No. 242.

The Secretary of the Mexican President to Señor Bonilla.

(Translation.)

Ministry of War, 3rd Section,
Sir, *Mexico, September* 20, 1853.

HAVING communicated to his Excellency the President your Excellency's note of the 29th of last August, and the documents inclosed, relating to the charges against the "*Mariana*," which arrived at the Island of Carmen under great suspicions of having been employed in the Slave Trade, his Excellency orders me to inform you of the orders which have been issued this day from this office. Although it was intended that the said vessel should come to Vera Cruz to have her papers legalized, and that she might be nationalized according to her master's wish; as soon as the Government was informed that the Collector of the Custom House of the Island of Carmen had sequestered the vessel for having suspicious signs of being employed in the Slave Trade, they ordered her up to Vera Cruz just as they received your note and the inclosed documents, which justified the proceedings of the Customs Collector.

Accordingly orders of this day's date have been sent to the Naval Com-

mandant at Vera Cruz, to place the "*Mariana*" at the disposal of the District Judge, after taking an inventory of her, and securing her at her anchors in proper custody till sentence is pronounced. The Judge has received the necessary orders, and moreover the documents which your Excellency has sent, as also the information respecting this vessel supplied by the authorities of the Island of Carmen, so that the case may be terminated with the utmost despatch, according to the stipulations of the Treaty concluded between Great Britain and Mexico in 1841, and the arrangements which were added to it on the 8th August, 1851, so that the said Treaty may be fulfilled, as well as the Law of the same date, which was issued from the department at present in your Excellency's charge.

The above-mentioned Judge has been recommended to be very exact and quick in this affair, as the Supreme Goverment have it at heart to comply in every way with the said Treaty.

This is in answer to your Excellency's note, and is intended for the information of his Excellency Her Britannic Majesty's Minister Plenipotentiary.

I have, &c.

(Signed) SUAREZ Y NAVARRO.

A true copy.

(Signed) J. MIGUEL ARROZO.

Mexico, September 23, 1853.

Inclosure 4 in No. 242.

Mr. Doyle to Señor Bonilla.

Mexico, September 26, 1853.

THE Undersigned has the honour to acknowledge the receipt of the note of his Excellency Don M. Diez de Bonilla of the 23rd instant, inclosing copies of the orders issued by the Supreme Government, to bring without loss of time the case of the "*Mariana*" before the District Judge of Vera Cruz; and his Excellency adds, that this measure will afford a proof to the Undersigned of the earnest desire of this Government to fulfil all the obligations of the Treaty between Great Britain and Mexico for the abolition of the Slave Trade.

The Undersigned begs his Excellency Senor Bonilla will believe that he has never entertained the slightest doubt of the intentions of this Government on a subject so interesting to humanity, nor could he do so for a moment, when he recollects that one of the very first acts of this country on gaining its independence, was spontaneously to declare the abolition of slavery throughout the Republic: that the same illustrious general now at the head of the Government was the person who ratified in 1843 the Treaty with Great Britain for the abolition of slavery. And the Undersigned must be permitted to add, that however much Mexican statesmen may differ in the view they adopt on other political questions, he has always met with every assistance on their part in carrying into execution such further laws and arrangements as it was considered possible might aid in putting an end to so odious a crime as that of buying and selling human beings.

The Undersigned has read with sincere pleasure the orders which have been issued by the War Department; and as he has no doubt of their being carried most scrupulously into execution, nor of the condemnation of the vessel, from the nature of the evidence brought against her owners, he must be permitted to offer his congratulations to the present Government upon the opportunity thus given them of showing to the world their determination of seizing every opportunity afforded them of putting an end by every means in their power of the odious Traffic in question.

I have, &c.

(Signed) PERCY W. DOYLE.

No. 243.

The Earl of Clarendon to Mr. Doyle.

Sir, *Foreign Office, November* 8, 1853.

I HAVE received your despatch of the 3rd ultimo, inclosing copies of your correspondence with the Mexican Government respecting the case of the "*Mariana,*" and stating that the Mexican Government have handed that vessel over to the District Judge, who has been directed to act with energy and in strict accordance with the Treaty of 1841, and with the law of Mexico for the suppression of the Slave Trade; and I have to instruct you to express to the Mexican Minister for Foreign Affairs the thanks and satisfaction of Her Majesty's Government for the conduct of the Mexican Government in this case.

I am, &c.
(Signed) CLARENDON.

No. 244.

Mr. Doyle to the Earl of Clarendon.—(Received December 5.)

(Extract.) *Mexico, October* 2, 1853.

IN my despatch of the 3rd ultimo, I had the honour to inform your Lordship that the "*Mariana,*" or "*Lady Suffolk,*" had been brought to Vera Cruz and placed at the disposal of the District Judge, who had received orders to act with energy and in strict compliance with the terms of the Slave Trade Treaty existing between the two countries, and that I had instructed Her Majesty's Consul in that port to watch strictly the proceedings, and make an immediate report to me should any of the local authorities make any attempt to evade carrying into execution the instructions they had received. I thought it proper to take this measure on account of the great efforts which were made by the late proprietors and other persons at Laguna de Terminos to get the vessel condemned, not on the plea of her being engaged in the Slave Trade, but on account of her clearance papers from the last port being wanting.

I have now the gratification of being able to inform your Lordship that this notorious slaver has been condemned, as your Lordship will perceive by the sentence of the Judge which I have just received from Her Majesty's Consul at Vera Cruz, but which I am obliged to inclose in original, as I have received it too late to have it copied or translated. By part of Consul Giffard's despatch your Lordship will perceive, that in allusion to that part of Judge Oropeza's sentence, putting up the "*Mariana*" to public auction, he supposes that a last attempt is being made by her late owners to again get possession of her; on the other hand, it may possibly be that the Judge has acted in accordance only with the wording of the 5th Article of Annex B of the Slave Trade Treaty, but not with that of the 11th Article, by which immediately after her condemnation she must be broken up and the several parts sold. Be that as it may, I instantly went to the Minister for Foreign Affairs, taking with me the copy of Judge Oropeza's sentence. His Excellency promised me to send off an order by the telegraph to stop the sale, and that he would also send me fresh instructions for Judge Oropeza, to be transmitted by the courier who will take this despatch to the coast.

I have directed Consul Giffard by telegraph to protest against the sale being carried into effect, as contrary to our Treaty, and I shall also send him further instructions by the courier.

I shall also address a note to this Government on this subject, and call upon them, in virtue of Judge Oropeza's sentence, to have Senor Soler's conduct properly inquired into, for having giving the sailing papers and authorized a fictitious sale of this vessel, while he was in charge of the Mexican Consulate at the Havana.

Inclosure 1 in No. 244.

Consul Giffard to Mr. Doyle.

Sir, *British Consulate, Vera Cruz, October* 28, 1853.

REFERRING to my despatch of the 26th instant, relating to the ship "*Mariana*," I now beg leave to inclose you a copy of Judge Oropeza's decision, by which that vessel is condemned as having been employed in the Slave Trade.

You will be pleased to remark that as a part of Judge Oropeza's judgment it is ordered that the ship in question shall be valued and sold by auction. I point out this because I have reason to believe that there are persons here authorized to buy her up on behalf of the former owners, to be again employed no doubt in the Slave Trade.

I have, &c.
(Signed) F. GIFFARD.

October 29, 1853.

P.S.—Since the above was written, I see by the local newspaper of this day, a slip of which I herewith inclose, that the ship "*Mariana*" is advertised for sale to the highest bidder, having been valued at 17,200 dollars. This haste confirms my previous suspicions that there are influential persons employed to hasten the sale, for the purpose of buying her up, very probably for the former owners, to be employed in the same Traffic. F. G.

Inclosure 2 in No. 244.

Sentence on the "Mariana."

(Translation.) *Mexico, November* 22, 1853.

IN the heroic city of Vera Cruz, on the 25th day of March, of the year 1853, the Especial Finance Judge of this port, the Licenciate Don José Felipe Oropeza, having drawn up this lawsuit in consequence of the detention in the port of Laguna de Terminos of the schooner "*Mariana*," for not having brought with her the proper custom-house documents, the want of which entailed upon her the sentence of confiscation, to which sentence the attorney of the owner of the said schooner submitted himself fully: considering what happened with respect to the said schooner, viz., that she showed signs of having been employed in the Slave Trade, for which reason the Judge of the district of Campeche declared himself incompetent to try her, and transferred the case to the Judge of this State, to whom, according to law, it properly belonged: considering that the submission made by the attorney for the vessel to the sentence of the Carmen custom-house was a strong indication that he, on his part, was afraid of discoveries being made with regard to the crime which has been tried if he made any defence, and that therefore he conformed with the said sentence, because his fear must have been the discovery of the crime of piracy which the above-named vessel had been guilty of, as had been already suspected; that such suspicions or indications had been confirmed by finding on board the vessel 300 pipes of water, 90 sacks of millet, 25 muskets, 17 cannon-balls of the 12-pounder calibre, a chain-shot and a pair of shackles of two links, food and instruments adapted only to ships employed in that shameful trade; that notwithstanding this Court has cited, by means of proclamations posted up in the usual public places, the person who may have right to the vessel to appear and plead within the specified time, no one has yet done so, a course which would not have been neglected unless from fear of the sentence, since the estimated value of the vessel made her worth defending; that the sudden and simultaneous disappearance of the captain, the mate, and the crew of the said vessel raises the strongest suspicions that they wished to avoid the punishment due to their crime, this idea meeting with corroboration in the fact of the captain of the vessel (Don Juan Gutierrez) having assured the Captain of the Port of Laguna del Carmen and the Collector of the Customs of the said

port that he was coming to this maritime station to hoist his flag, which he did not do, fearing possibly that he might be arrested in this city; that, according to the evidence, when the Auditor of the Carmen custom-house went on board to examine the vessel, and found the provisions which have been stated, he observed that they were whitewashing the inside of the ship, which could have been for no other object than that of obliterating the marks remaining of the presence of negroes, and of dissipating the pestilent smell which this race leaves in places where they have been crowded, more particularly when shut up; that according to the declaration or report made by two naval officers, and the Captain of this Port, deputed by the head Commandant of Marine of this Department, at the official request of this Court, for the inspection of the vessel, her peculiar construction and build, the number of water-pipes, her divisions by a number of hatchways opening on deck, the dimension of her galley, which would hold coppers of large size, as well as other particulars which they remark upon, demonstrate that she was employed in the above-named Traffic; that in the deed of sale Don Juan Gutierrez appears as a Mexican citizen, the representative in the purchase of the "*Mariana*" of another Mexican citizen, called Juan Ruiz, living near Mexico, whereas in the muster-roll of the crew, Gutierrez is put down as master and pilot of the ship, born at Cadiz and matriculated at Barcelona, which contradictory statements prove clearly the falseness of his assertions, more particularly with respect to the first document; equally false is the authorization which he asserts the United States' Consul gave for the sale of the "*Mariana*," as is proved by despatches from the British Consul-General at Havana and from our Consul at that port; likewise the permit to sail to Laguna under the Mexican flag was obtained fraudulently, or by connivance with him who was acting as Consul at the time of her departure; that according to the statement of the British Vice-Consul at Laguna de Terminos, although the vessel now seized is at present called the "*Mariana*," she answers exactly to the known description of the "*Lady Suffolk*," built at Baltimore, and intended for the Slave Trade, which left the Island of Cuba in last November for the coast of Africa; nor does this supposition seem a wrong one, considering the pains taken by Captain Gutierrez to disfigure the said "*Mariana*" by painting her, altering her sails and her exterior, breaking her figure-head and destroying the stern-mouldings, by which marks he feared she might be recognized; all which was done by the said Captain Gutierrez during the ship's stay at the Island of Carmen: that according to the Treaty between our Government and Great Britain, signed on the 24th of February, 1841, as well as the additional Article of the same date, as also by the Decree relating to it of the 8th of August, 1851, any vessel showing any of the signs mentioned in the respective Articles of the Treaty will be held to afford *primâ facie* evidence that she is or has been occupied in the Slave Trade, and must be declared a good prize, and undergo the penalties imposed by the Treaty: that in the present case the discovery on board the "*Mariana*" of an immense quantity of pipes of water, of sacks of millet, of muskets, cannon balls, chain-shot and shackles, not less than the peculiar construction of the ship, which has been mentioned above, the sudden and simultaneous disappearance of her captain and crew, the trouble the captain took to destroy all marks about the ship, are additional *primâ facie* evidence against her, proving her liability to the penalties awarded by the said law: for which reasons, and from other circumstances of the case, I declare that I ought to, and do, pronounce the "*Mariana*," anchored in this port, with everything belonging to her, to be a lawful prize, which shall be estimated by the appraisers named for the purpose by the Commandant of Marine, who shall receive an order to that effect, and the value having been determined, the sale shall be announced, and she shall be sold in auction to the highest bidder, and the proceeds shall be disposed of in accordance with the provisions of the 5th Article of the Annex to the above-mentioned Treaty. Let a copy be taken of these proceedings, according to rule, to continue the proceedings against the captain, the mate, and the other individuals of the ship's crew, so that they may meet with their proper punishment. And with respect to Don Joaquin Soler, an individual who performed the duties of the Consulate of Mexico at the Havana in the month of May of the present year, during the absence of the Consul, and who appears to have committed a fraudulent act which might have compromised the honour of the nation he represented, the attention of the Supreme Government is respectfully drawn to

his conduct, so that it may, if it please, adopt the course it may think appropriate. Let the parties be informed of this decision; let a copy be taken and remitted to the Supreme Government, and at the proper time let this case go before the Supreme Court of Justice for revision; and this definitive sentence, be pronounced and signed, which I swear to.

(Signed) J. F. OROPEZA.

Before me, JOSE MARIA VELARDO.

Mexico, November 22, 1853.

This is a copy of the original to be found in the decree confiscating the vessel "*Mariana,*" which sailing from Cienfuegos, anchored in the port of the Island of Carmen on the 21st of last May, to which I refer.

To be sent to the Supreme Government, in conformity with the sentence.

This is drawn up in the City of Mexico, on the 27th of October, 1853.

A true copy.

(The Signature of a Notary) JOSE M. VELARDO.

No. 245.

The Earl of Clarendon to Mr. Doyle.

Sir, *Foreign Office, December* 9, 1853.

WITH reference to the communications which have been addressed to you by Her Majesty's Consul-General at Havana, respecting the Yucatan Indians, who had been kidnapped by a person residing at Belize, and who had been sent to Cuba as slaves; I transmit herewith a copy of a letter* upon this subject, which Mr. Otway has received from the Spanish Minister for Foreign Affairs, who states that the Government of Her Catholic Majesty is about to come to an understanding with that of Mexico, respecting the importation of Yucatan Indians into Cuba as colonists.

You will communicate the substance of the inclosed letter to the Mexican Minister for Foreign Affairs, and you will state to his Excellency, that until Her Majesty's Government are officially informed of the fact, they will hesitate to believe that the Mexican Government has entered into arrangements with the Spanish Government for the exportation of unfortunate Indians to Cuba.

If, however, it should turn out to be true that such an agreement has been made, you will protest, in the name of Her Majesty's Government, against such a transaction, as aiding the Spanish Government to violate a solemn Treaty engagement with England, and as constituting a breach of the Treaty of the 29th of July, 1842, between Great Britain and Mexico, by the 1st and 2nd Articles of which it is declared that the Slave Trade, in all parts of the world, and slavery in the Mexican territory, are totally and perpetually abolished; and that the Government of Mexico engages to prevent the flag of the Mexican Republic from being employed in any way in carrying on the Slave Trade.

I am, &c.

(Signed) CLARENDON.

No. 246.

The Earl of Clarendon to Mr. Doyle.

Sir, *Foreign Office, December* 12, 1853.

I HAVE received your despatch of the 2nd of November, inclosing a copy of the sentence pronounced by the District Judge at Vera Cruz on the 25th of October, condemning the ship "*Mariana*" as good prize.

* Inclosure in No. 474.

And I have, in reply, to refer you to my despatch of the 8th ultimo, and to acquaint you that Her Majesty's Government approve the steps taken by you in order to prevent the "*Mariana*" from being sold by auction, and to obtain an investigation of the conduct of the Mexican Consul at Havana, in authenticating by his certificate the fictitious sale of that vessel, and in supplying her with Mexican papers.

I am, &c.
(Signed) CLARENDON.

No. 247.

Mr. Doyle to the Earl of Clarendon.—(*Received January* 4, 1854.)

My Lord, *Mexico, December* 3, 1853.

IN obedience to your Lordship's instructions conveyed to me in your despatch, to report with reference to Captain Napier's statement that, as he was in quarantine, he was unable to examine the "*Mariana*," whether that officer being aware of the suspicious circumstances attending that vessel, should not have kept watch on her and prevented her escape; I have the honour to state that in consequence of sickness having broken out on board the "Daring," I wrote to Captain Napier to say that I did not see any necessity for his remaining any longer in the Gulf of Mexico, but requested he would call off Tampico on his leaving the station. At the time of his receiving this despatch came the news to Vera Cruz of the "*Mariana's*" arrival at Laguna de Terminos, whither he at once proceeded, but was put in quarantine, and after putting himself in communication with Mr. Vice-Consul Shiels, he went to Tampico, came back to Vera Cruz, whence it appears he sailed at once for Laguna de Terminos, and being again placed in quarantine, he left that port for the Havana, from whence I received the despatch, a copy of which I have the honour to inclose herewith for your Lordship's information.

I have, &c.
(Signed) PERCY W. DOYLE.

Inclosure in No. 247.

Commander Napier to Mr. Doyle.

Sir, *H.M.'s Ship "Daring," Havana, July* 27, 1853.

I HAVE the honour to inform you that I left Vera Cruz on the 7th instant, and on my way here called at Laguna. I arrived off that port on the 13th instant, and proceeded to the town in a boat the following morning, but was not admitted to pratique. Mr. Shiels, the Vice-Consul, came off to me, and informed me of having received your despatch inclosing the letter for the Captain of the Port, whom I consequently asked to come off, in order that I might get what information I could from him regarding the vessel "*Mariana*," of which the following is an outline. The vessel was the "*Mariana*," had arrived there from Cienfuegos (having permission from the Mexican Consul at Havana to sail for Laguna under Mexican colours), in ballast, which ballast consisted of water in casks, 300 in number, of various sizes, barrels, pipes, and some larger. He had seen vessels before ballasted in the same way. She is detained by the Custom-house for want of clearance in her papers. On reading to him the paragraph in Treaty, Article No. IX, regarding casks, &c.; if he did not think that sufficient to detain her, he could only inform me that she would not be allowed to leave the port till her registry came from Mexico, information having been sent to the Government. I then requested to see the Collector of Customs, who came off. He informed me the vessel named the "*Mariana*" had arrived there under Mexican colours, as nationalized by the Mexican Consul at Havana; but did not know whether the Mexican Consul had power from the Government to nationalize vessels. She brought papers from him; she arrived in ballast from Cienfuegos, but brought no papers from thence; that is the reason that she is detained. Her

ballast was water, in casks, pipes, and casks larger than pipes, which were allowed by the Custom-house to be landed, as the Captain of the Port had reported that the water was getting bad on board. The casks are detained by the Custom-house. She landed also 90 bags of millet, which were seized by the Custom-house, and sold for the Mexican Government, the sum being detained under seizure till instructions arrived from Mexico. The Collector of the Customs had put her under seizure, and sent the case into court for trial; first, for not having proper documents from the custom-house of the port she left, as well as the Mexican Consul of that port; secondly, on suspicion of her having been engaged in the Slave Trade; but these charges would not be entered into until he received instructions from Mexico in answer to the report he had made on the 1st of June. Since landing the casks he had given permission for the vessel to take in logwood as ballast, it being represented to him as necessary for her to have some ballast. She had taken in about 3,000 quintals. I received from Mr. Shiels a copy of the papers she had brought with her, manifest, roll, and a certificate of her having been formerly the "*Mary of Boston*," and sold to Don José Ruiz, a Mexican citizen and residing in Mexico. Not deeming that my presence would be of any further use there, I returned on board and sailed from thence.

I have, &c.

(Signed) GERARD T. NAPIER.

No. 248.

Mr. Doyle to the Earl of Clarendon.—(*Received January* 4, 1854.)

My Lord, *Mexico, December* 3, 1853.

IN my despatch of the 2nd of last month, I had the honour to inclose a copy of the sentence, forwarded to me by Her Majesty's Consul in Vera Cruz, which had been pronounced by the Judge of the District Court of that port, declaring the "*Mariana*," or "*Lady Suffolk*," a lawful prize, from her having been engaged in the Slave Trade; and of the measures I had adopted to prevent the sale of that vessel being carried into effect, which were entirely successful, and the announcement has been withdrawn by the Judge in consequence of orders sent hence, and the protest I directed to be made by Her Majesty's Consul in Vera Cruz, a copy of which I have the honour to inclose.

I have now the honour to forward a copy and translation of a note I received from his Excellency Señor Bonilla, transmitting me a copy of Judge Oropeza's sentence, as well as of my answer to that communication.

In it I did not think it necessary again to allude to the sale of the "*Mariana*," it having been put a stop to; but I have called to his Excellency's attention the necessity of Senor Soler's conduct being fully investigated, as the false papers given to the "*Mariana*" were issued by him under the circumstances stated by me in that note.

Now that this business has been brought to so successful a termination, I feel myself bound to offer my testimony to the zeal and energy shown by the Supreme Government and the District Judge of Vera Cruz in this matter, and the promptness with which they have acted upon any suggestions I have offered, or evidence I have given, in proof of this vessel having been employed in the nefarious Traffic of Slaves.

I have, &c.

(Signed) PERCY W. DOYLE.

Inclosure 1 in No. 248.

Consul Giffard to Señor Oropeza.

Sir, *British Consulate, Vera Cruz, November* 3, 1853.

WITH reference to the intended sale of the condemned slave-ship "*Mariana*," as published in the Vera Cruz newspaper "Eco del Comercio,"

under date of the 28th October last, I have the honour to inform you that I am instructed by Mr. Percy W. Doyle, Her Majesty's Minister Plenipotentiary at Mexico, to address to you, on behalf of Her Majesty's Government, this communication, as a formal protest against the sale of the ship in question; such a course being a violation of the existing Treaties between Mexico and Great Britain.

I have, &c.
(Signed) F. GIFFARD.

Inclosure 2 in No. 248.

Señor Bonilla to Mr. Doyle.

(Translation.) *Mexico, November* 22, 1853.

THE inclosed copy, which the Undersigned, Minister for Foreign Affairs, has the honour to transmit to his Excellency Percy W. Doyle, will acquaint him with the sentence which the Especial Judge of Finance at Vera Cruz has pronounced upon the ship "*Mariana*," which vessel, in consequence of the Treaty between this Republic and England, of the 24th of February, 1841, of the Additional Article of the same date, and of the agreement decreed on the 8th of August, 1851, has been declared a lawful prize, with all her appurtenances, and to be treated accordingly.

In communicating the above to his Excellency Mr. Doyle, so that he may inform his Government of it, the Undersigned flatters himself that it will be accepted by them as a proof of the zeal which Mexico shows in punishing and repressing, by all the means in its power, the inhuman Traffic in Slaves.

The Undersigned, &c.
(Signed) MANUEL D. DE BONILLA.

Inclosure 3 in No. 248.

Mr. Doyle to Señor Bonilla.

Mexico, November 24, 1853.

THE Undersigned, &c., &c., has the honour to acknowledge the receipt of the note of his Excellency Don M. D. de Bonilla of the 22nd instant, inclosing copy of the sentence of condemnation pronounced against the vessel called the "*Mariana*," or "*Lady Suffolk*," by the Judge of the District Court of Vera Cruz, on account of her having been employed in the Slave Trade; and his Excellency requests the Undersigned will forward to Her Majesty's Government a copy of this sentence, as a proof on the part of the Government of this country of its firm determination to do all in its power to put an end to this inhuman Traffic.

The Undersigned will have the sincerest pleasure in meeting his Excellency's wishes on this occasion, and he may rest assured that this renewed proof of readiness on the part of the Mexican Government to take every measure the Constitution of the country allows to put an end to so nefarious a Traffic, will be received by Her Majesty's Government with the deepest gratification. As it may be satisfactory to the Supreme Government to know how justly this case has been viewed by the Judge of the District Court of Vera Cruz, the Undersigned begs to inform his Excellency Don M. D. de Bonilla that the following intelligence has been communicated to him by Her Majesty's Consul-General in the Havana.—That Gutierrez, who signed as the master of the "*Mariana*," after the landing of the slaves in the southern part of the Island of Cuba, had passed through the Havana after he fled from Vera Cruz, going to New York on board the steamer "*Black Warrior*;" that he confessed to a person who happened to be on board the steamer, that he had gone in the "*Mariana*" to the Mozambique, where 1,300 slaves had been embarked, of whom the survivors, said to be about 1,160, were landed at La Zapata at the entrance of the Ensenada

de los Cochinos; that he was not the master during the voyage, but acted as mate; and the real master, Don Eugenio Viñes, is now in Paris, having cleared upwards of 100,000 dollars by his share of the voyage.

Judge Oropeza, in the latter portion of his sentence, says that Don Joaquin Soler, the person stated to have been left in charge of the Mexican Consulate in the Havana during the absence of the Consul, having it appears committed a fraudulent act, he calls the attention of the Supreme Government to such conduct, as it might have compromised the honour of the nation. With respect to this fact, the Undersigned has received such assurances from his Excellency Senor Bonilla that Senor Viro will be called upon to clear up this matter, that he will leave it in the hands of his Excellency, feeling certain that a matter of so vital an interest to the honour of this country will not be lightly dealt with; and which is the more necessary because the Undersigned has been given to understand that Judge Sharkey, the then American Consul in the Island of Cuba, has demanded an investigation to be made with respect to his name having been falsely made use of to cover this transaction, and that the false papers signed by Senor Soler, as Acting-Consul, were dated the 13th of May last, while Senor Viro, the Consul, arrived from Mexico at the Havana on the 9th, and only made over the Consulate to Senor Carvallo on the 17th of the same month, when he started to Spain, to place himself at the head of the Mexican Legation in that country, and to which Legation Senor Soler is also attached.

The Undersigned, &c.

(Signed) PERCY W. DOYLE.

No. 249.

The Earl of Clarendon to Mr. Doyle.

Sir, *Foreign Office, January* 12, 1854.

WITH reference to the contents of your despatch of the 3rd ultimo, reporting the condemnation of the "*Mariana*," I have to instruct you to convey to the Mexican Government the best thanks of Her Majesty's Government for the zeal and energy displayed in this case, and to express the high sense entertained by Her Majesty's Government of the upright conduct of the District Judge of Vera Cruz in dealing with it.

I approve of the note on this subject which you addressed to Senor Bonilla on the 24th of November.

I am, &c.

(Signed) CLARENDON.

No. 250.

The Earl of Clarendon to Mr. Doyle.

Sir, *Foreign Office, January* 26, 1854.

WITH reference to previous correspondence respecting the Yucatan Indians who had been carried off to Cuba and sold as slaves by a man named Anduze,* I transmit to you herewith, for your information, a copy of a despatch from Mr. Crawford, &c., reporting the state of the proceedings which have been taken in the Cuban law courts, with the view of bringing to justice the persons in Cuba concerned in the abduction of these Mexican citizens.

I am, &c.

(Signed) CLARENDON.

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* No. 630.

No. 251.

Mr. Doyle to the Earl of Clarendon.—(*Received February* 2.)

My Lord, *Mexico, January* 2, 1854.

I HAVE the honour to inclose a copy of the note I addressed to the Mexican Government in obedience to the instructions contained in your Lordship's despatch of the 22nd October of last year.

I have, &c.

(Signed) PERCY W. DOYLE.

Inclosure in No. 251.

Mr. Doyle to Señor Bonilla.

Mexico, December 6, 1853.

THE Undersigned has the honour to inform his Excellency Don M. D. de Bonilla that he has received instructions from Her Majesty's Principal Secretary of State for Foreign Affairs to offer the acknowledgments of Her Majesty's Government to the Supreme Government of this country for the ready co-operation and assistance it has afforded in seizing and condemning the noted slave-vessel the "*Lady Suffolk*;" and the Undersigned is further instructed to express the hope of Her Majesty's Government that the Government of Mexico will follow up closely the inquiry it has already instituted with regard to the suspicious conduct of Señor Viro when he was Mexican Consul at Havana, whereby the owners of the "*Lady Suffolk*" were enabled to obtain Mexican papers for that vessel.

The Undersigned, &c.

(Signed) PERCY W. DOYLE.

No. 252.

Mr. Doyle to the Earl of Clarendon.—(*Received March* 7.)

My Lord, *Mexico, February* 2, 1854.

BY the last English packet arrived a Monsieur Vecino, Bavarian Consul in the Havana. He brought me a letter of introduction from Her Majesty's Consul-General in that port, and called upon me to explain the object of his coming to this country, which he stated as follows:—That he had for many years been working to do all he could against the system of slavery in the Havana; that he had determined to come to this country to try and hire some of the Indians in Yucatan to go as labourers to the Island of Cuba, giving them every proper guarantee for their persons and property; and that he intended to speak to the Minister for Foreign Affairs to see how far it would suit the views of this Government that such a plan should be carried into execution. He also told me that the Marquis de Pezuela, the Captain-General of the Havana, had at once told him that he was perfectly ready to assist him in carrying out his plan. In a conversation which I had with Senor Bonilla a day or two afterwards, I communicated to him the one I had had with Senor Vecino, and asked him what he would do; his answer was that the Government could not prevent the inhabitants of this country, who were one and all free citizens by its Constitution, from leaving it for the purpose of gaining their livelihood as they thought best; but that he would take care to give such orders to the Governor of Yucatan as should prevent the least force being used towards them; that no contract should be entered into without the intervention of an officer named by the Government, who would explain to the Indians its nature; that they would be furnished with Mexican passports for the Havana, and placed under the protection of the Mexican Consul while there, who would receive orders to visit them from time to time to see that their contracts were carried out fairly, and that by virtue of an article inserted in those documents he would have the right to demand

that they should be allowed to return to their country in the event of the breaking of the contract; and, moreover, that none were to be made for a term exceeding five years at the outside, but, if possible, they were to be made only for one or two years, and that none were valid longer than five years. Mr. Vecino subsequently told me that he had entered into such an agreement with this Government that he intended to send an agent to Yucatan for the purpose of hiring on those terms free labourers. On the receipt yesterday of your Lordship's despatch of the 9th of December, 1853, I immediately took it to Senor Bonilla, and read it to him, telling him that as I had no time before the departure of the packet to write to him, as I was instructed by your Lordship to do, I requested him to tell me whether this Government had any idea of entering into any arrangement with that of Spain, as had been stated by Senor Calderon de la Barca in his note to Mr. Otway, and to tell me exactly what had been done. His Excellency immediately said to me that no such idea was entertained for a moment by this Government, as stated by Senor Calderon; that I knew better than anybody his feelings, as he had been the person, as President of the Committee of Foreign Affairs in the Chamber of Deputies, to get the Law carried through the Congress, in 1851, by which the Slave Trade had been declared piracy; and that I might rest assured he never would do anything tending to sanction so detestable a Traffic, as proofs of which he called to my mind the demands he had made upon the Spanish Government that the Indians carried by stealth lately to the Island of Cuba by Anduz should be indemnified for the losses they had undergone, and that they should at once be restored to their country; and also the measures he had taken to have the "*Mariana*" condemned; adding that he would immediately send me, for your Lordship's information, a copy of his instructions as to the terms upon which the contracts now to be made might be concluded. I told him I would not fail to forward that document to your Lordship by the present packet, and that I would address him a note, in obedience to the instructions I had received, after the departure of the packet. I have much doubt whether any contracts whatever will be made with the Indians, because they have a known dislike to leaving their country under any circumstances; so much so that some time ago, when the agents of the Tehuantepec Company went there to hire a certain number of Indians for the purpose of working at the inter-oceanic communication to be made by that route, a very small number agreed to go, and even those who went, after a very short time, with the exception of five or six, deserted and went back to their own country. I shall have the honour of writing further to your Lordship by the next packet on this subject.

I have, &c.

(Signed) PERCY W. DOYLE.

P.S.—I have received the instructions for drawing up the contracts only at the last moment, so that I am obliged to forward them to your Lordship in original. P. W. D.

Inclosure in No. 252.

Copy of the Conditions dictated by the Supreme Government, on the 23rd of January, 1854, to the Government of Yucatan, for the Contracts for Natives of that District which have been granted to Don Tito Vecino, the representative of a commercial firm in the Island of Cuba.

Mexico, February 1, 1854.

1. THAT the contracts shall be, without any exception whatever, concluded in the presence of a political authority, who shall receive the declaration of the natives that they have been under no influence either of violence or fraud; taking care to ascertain, by prudent measures, the truth of these circumstances. If they be under age, their guardians or protectors shall appear, declaring on oath that the contracts are advantageous to their wards.

2. That the contracts shall be for the term of five years at most, because a longer time would be tantamount to a disguised slavery.

3. That a security shall be demanded from the contracting firm that the

stipulations made with the natives shall be scrupulously fulfilled; all possible care being taken that these stipulations shall be the same as are expressed in the request, or else others clearly more advantageous to the natives; and that none be assented to which can be injurious to them.

4. That the authorities before whom the contracts shall be drawn out, make known the same to your Excellency immediately for your approval, without which they shall have no force or validity.

5. That every one of the natives contracted for shall obtain a passport of your Excellency to leave the district, and to enter into the Island of Cuba; since the Mexican Consul will not protect any individual without such document, but will require him to be re-embarked for Yucatan at the cost of the contractor.

6. That your Excellency, and the other authorities whose business it is, shall take care that the natives contracted for shall be treated properly, and that they be embarked with comfort, security, &c.

7. As soon as any contract is concluded, your Excellency will transmit an authenticated copy thereof to the Consul of the Republic in the Havana, in order that he may proceed to act in accordance with the orders which are communicated to him by this department.

8. That the Mexican Consul shall have free access to the natives for the purpose of learning from them if they are well treated, and their contracts fulfilled. In case of any grave failure in the same, the contracts are *ipso facto* rescinded, and the proprietors are also bound to pay for their return voyage, and any balance they may have, and also what may be calculated for damages and losses.

9. That in no case shall the natives cease to be treated as Mexican, for the enjoyment of all the rights appertaining to them in accordance with Treaties made with Spain.

10. That the natives contracted for shall be at liberty to take with them their wives and children, under the conditions which each of them may make with the managers, who shall not be allowed to oblige them to leave those persons in your district or in any other place; nor shall they be bound to work in the same way as the head of the family, unless they agree to the same voluntarily and freely.

True copy. (Signed) J. MIGUEL ANOY.

No. 253.

The Earl of Clarendon to Mr. Doyle.

Sir, *Foreign Office, March* 22, 1854.

WITH reference to that part of your despatch of the 2nd of February by which it appears that the Mexican Government disclaims any intention of entering into an arrangement with the Government of Spain in order to facilitate the employment of Yucatan Indians as labourers in Cuba, I have to instruct you to express to the Mexican Minister for Foreign Affairs the satisfaction of Her Majesty's Government at the view taken of this matter by his Excellency.

I am, &c.

(Signed) CLARENDON.

MONTE VIDEO.

No. 254.

Mr. Lennon Hunt to the Earl of Clarendon.—(Received June 13.)

(Extract.) *Monte Video, April 18, 1853.*

ON the 13th ultimo I received information that the Sardinian brig "*Prudencia*" had been purchased in this port for the purpose of being fitted out for a slave voyage to the coast of Africa; that she had been put under Roman colours, the name "*Maria*" having been substituted for that of "*Prudencia*;" and that there existed abundant evidence on board to prove the illicit nature of the Traffic in which she was about to be engaged.

A strict search was immediately instituted on board of this vessel, but nothing to justify her detention was discovered, although every circumstance relating to the purchase, cargo, and destination was of a suspicious nature.

Senor Castellanos showed every disposition to co-operate with me in this matter, and I conceived that it would be a favourable moment again to call the attention of the Monte Videan Government to the subject of Viscount Palmerston's despatch of March 10, 1851, in which Her Majesty's Chargé d'Affaires was instructed to invite the Monte Videan Government to declare the Traffic in Slaves to be piracy, and subjecting such of their subjects as might be engaged in it to a severe secondary punishment; to which communication no reply has hitherto been received.

I accordingly called the attention of Senor Castellanos officially to the matter on the 15th instant; he has since stated to me privately that he entirely approves of the manner of dealing with this crime proposed by Her Majesty's Government, and that the matter should be submitted to the Chambers, where it would receive his support.

No. 255.

The Earl of Clarendon to Mr. Lennon Hunt.

Sir, *Foreign Office, June 27, 1853.*

I HAVE received your despatch of the 18th of April last, on the subject of the Sardinian brig "*Prudencia*," which you were informed was purchased at Monte Video for the purpose of being employed in the Slave Trade, but which upon examination appeared to be intended for lawful commerce.

I have to inform you that I approve of your having taken that opportunity to repeat the invitation which was made by Her Majesty's Government to the Government of Monte Video in 1851, requesting that Government to declare Slave Trade to be piracy by the laws of the Republic; and I have to instruct you to express to Senor Castellanos the satisfaction of Her Majesty's Government at the private communication which he made to you on this subject, and to urge him to carry out his intention of submitting to the Chambers a Project

of a Law for the infliction of severe punishment upon any citizens or inhabitants of the State of Uruguay who may be found guilty of the crime of Trading in Slaves.

I am, &c.
(Signed) CLARENDON.

No. 256.

Mr. Lennon Hunt to the Earl of Clarendon.—(*Received July* 14.)

My Lord, *Monte Video, May* 26, 1853.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 30th of March last, together with its inclosures, and to state that I have acted upon the instructions therein contained.

In my note to the Government, a copy of which I have the honour to inclose, I have avoided making specific mention of the River Santa Lucia, as it is inexact that vessels have been fitted out there for the Slave Trade, or that any facilities exist for that purpose,

I have, &c.
(Signed) LENNON HUNT.

Inclosure in No. 256.

Mr. Lennon Hunt to Dr. Castellanos.

British Legation, Monte Video, May 25, 1853.

THE Undersigned, Her Britannic Majesty's Acting Consul-General, has the honour to inform his Excellency Senor Dr. Don Florentino Castellanos that Her Majesty's Government have been credibly informed that the slave-dealers find facilities for fitting out their vessels in the ports of the Republic; and the Undersigned has received instructions to express the confident hope of Her Majesty's Government that the Government of Monte Video will take immediate and effective steps to prevent such persons from finding resources within the Monte Videan Territory for the accomplishment of their nefarious designs.

The Undersigned, &c.

(Signed) LENNON HUNT.

No. 257.

Mr. Lennon Hunt to the Earl of Clarendon.—(*Received July* 14.)

My Lord, *Monte Video, June* 4, 1853.

I HAVE the satisfaction to transmit for the information of your Lordship a copy and translation of a note which I have received from the Minister for Foreign Affairs, in which he states that, under date of the 2nd instant, the Government of the Republic has submitted to the Chambers a Project of Law declaring the inhuman Traffic in Slaves to be piracy.

I have, &c.
(Signed) LENNON HUNT.

Inclosure 1 in No. 257.

Dr. Castellanos to Mr. Lennon Hunt.

(Translation.) *Monte Video, June* 2, 1853.

THE Undersigned, Minister for Foreign Affairs, has the honour to acknowledge the receipt of the note which Her Britannic Majesty's Acting Consul-General addressed to him, dated the 15th of April last.

The Undersigned feels great pleasure in informing Her Britannic Majesty's Acting Consul-General in reply thereto, that the Government has this day proposed to the Honourable General Assembly a Project of Law declaring the inhuman Traffic in Slaves to be piracy, thus uniting in the noble sentiment which has already moved so many Christian nations.

The Undersigned, &c.

(Signed) F. CASTELLANOS.

Inclosure 2 in No. 257.

Project of Law.

(Translation.) *Monte Video, June* 1, 1853.

ARTICLE I. The Traffic in Negroes to the coast of Africa is hereby declared to be piracy.

Article II. The citizens of the Republic who may after the publication of the present Decree be engaged in the said Trade, shall be regarded and punished as pirates.

(Signed) F. CASTELLANOS.

No. 258.

Mr. Lennon Hunt to the Earl of Clarendon.—(Received August 13.)

My Lord, *Monte Video, July* 1, 1853.

WITH reference to my despatch of the 26th of May last, in which I transmitted to your Lordship a copy of a note which I had addressed to the Monte Videan Government with reference to the facilities found by the slave dealers in fitting out their vessels in the ports of the Republic, I now have the honour to transmit for the information of your Lordship a copy and translation of the note of Dr. Castellanos in reply, wherein he states that the Government of the Republic will use every means which increased vigilance may suggest to defeat the designs of the slave-traders.

I have, &c.

(Signed) LENNON HUNT.

Inclosure in No. 258.

Dr. Castellanos to Mr. Lennon Hunt.

(Translation.) *Monte Video, June* 10, 1853.

THE Undersigned, Minister for Foreign Affairs, has had the honour to receive the note which Her Britannic Majesty's Acting Consul-General addressed to him on the 25th of May last, in which he informs him that the Government of Her Britannic Majesty has received positive information that the slave-dealers find facilities for the equipment of their vessels in the ports of the Republic, and hopes that the Oriental Government will take measures to prevent such proceedings.

In reply the Undersigned has to inform Her Britannic Majesty's Acting Consul-General that the Government, conceiving the desire of Her Britannic Majesty's Government to be perfectly just, will oppose by every means in its power the accomplishment of the criminal intentions of those dealers. It was that sentiment which induced it to propose to the Legislative Body a Project of Law declaring Slave Trading to be piracy, as the Undersigned notified to Her Britannic Majesty's Acting Consul-General on the 2nd instant.

It is probable that that Project will shortly become a Law of the State, as it has already obtained the sanction of the Senate, and now only requires that of the Chamber of Representatives.

The Undersigned, &c.

(Signed) F. CASTELLANOS.

No. 259.

The Earl of Clarendon to Mr. Lennon Hunt.

Sir, *Foreign Office, August* 30, 1853.

I HAVE received your despatch of the 1st ultimo, inclosing a copy of a note which you received from Dr. Castellanos, the Monte Videan Minister for Foreign Affairs, upon matters relating to the Slave Trade; and I have to instruct you to inform Dr. Castellanos that Her Majesty's Government have received with satisfaction his Excellency's promise that the Oriental Government will take measures in order to prevent the slave-dealers from fitting out vessels within the waters of the Oriental Republic.

You will also state that Her Majesty's Government have learnt with sincere pleasure that the Legislature of the Republic is about to pass a Law declaring the Slave Trade to be piracy.

I am, &c.
(Signed) CLARENDON.

No. 260.

The Earl of Clarendon to Mr. Lennon Hunt.

Sir, *Foreign Office, September* 22, 1853.

I TRANSMIT to you herewith, for your information, a copy of a despatch* which I have received from Her Majesty's Consul at St. Catherine's, in Brazil, in which he states that two vessels suspected to be intended for the Slave Trade are fitting out at Monte Video; and I have to instruct you to take measures in order that a strict watch may be kept on slave vessels coming to or clearing out from Monte Video.

I am, &c.
(Signed) CLARENDON.

No. 261.

Mr. Lennon Hunt to the Earl of Clarendon.—(Received October 15.)

My Lord, *Monte Video, August* 28, 1853.

I HAVE the honour to transmit to your Lordship a copy and translation of a circular note which was addressed to me on the 23rd instant by the Minister for Foreign Affairs, announcing officially that the Legislative Chambers had on the 7th of July last sanctioned a Law declaring such Oriental subjects as might be found to be engaged in the Slave Trade should be regarded as pirates, and dealt with accordingly.

I have, &c.
(Signed) LENNON HUNT.

Inclosure in No. 261.

Señor B. P. Berro to Mr. Lennon Hunt.

(Translation.) *Monte Video, August* 23, 1853.

THE Undersigned, Minister for Foreign Affairs, has the honour to state, for the information of Her Britannic Majesty's Acting Consul-General, that the Honourable Chambers of the Republic have thought proper to decree a law dated the 7th of July last, declaring the Traffic in Slaves to be piracy.

The Undersigned, &c.

(Signed) BERN. P. BERRO.

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* No. 212.

No. 262.

Mr. Lennon Hunt to the Earl of Clarendon.—(Received October 15.)

My Lord, *Monte Video, September 3, 1853.*

I HAVE the honour to transmit, for the information of your Lordship, a copy of a despatch which I have this day addressed to Her Majesty's Chargé d'Affaires at Rio de Janeiro, in reply to a communication upon the subject of two vessels which it was asserted were fitting out at Monte Video for the Slave Trade.

In the case of a barque called the "*Colonia*," which was supposed to be in course of preparation for a slave voyage, and which was searched by the Monte Videan authorities at my request, I have the satisfaction to inform your Lordship that I received the same ready co-operation and assistance on the part of Senor Berro, the Minister for Foreign Affairs, as upon a former occasion I received from Senor Castellanos.

I have, &c.

(Signed) LENNON HUNT.

Inclosure in No. 262.

Mr. Lennon Hunt to Mr. Jerningham.

Sir, *Monte Video, September 3, 1853.*

I HAVE the honour to acknowledge the receipt of your despatch of the 11th ultimo, relative to two vessels which it was believed were fitting out at Monte Video for the purpose of being employed in the Slave Trade.

For some months past there have been strong grounds for supposing that the slave-dealers have fixed upon the River Plate as a favourable point whence to carry on their operations; and I have endeavoured, by every means in my power, to make myself acquainted with their movements, in conjunction with Mr. Paranhos, the Brazilian Minister here, who has upon all occasions shown the utmost desire to co-operate with me in this matter, and from whom I have received information concerning suspected slave-ships.

There are two vessels against which suspicions have been entertained of being in the course of preparation for the Traffic in Slaves.

The first is the "*Enrico*," formerly called "*General Garzon*," of about 118 tons burthen; the name of the captain is Antonio dos Santos; and she is consigned to Francisco Lusini, at this port; she is now in Entre-Rios, ostensibly engaged in taking on board a cargo of jerked beef. She belongs to the same individuals as the "*Colonizador*," that was wrecked at Buenos Ayres in the month of December last. The partner, or agent, at Rio de Janeiro, is Pinto Coimbra; she is now under the Brazilian flag, but she formerly sailed under Oriental colours.

The second is the "*Colonia*," a barque formerly under the flag of the United States, but at present under the Oriental flag; the name of the captain is Manuel Nunez Barbosa. The clearance of this vessel was demanded on the 2nd instant for Pernambuco and the southern parts of Brazil, with a cargo of 42 mules and 2 horses. On learning that suspicions were entertained that she was not to be occupied upon a lawful voyage, I sought an interview with the Minister for Foreign Affairs, who at my request issued an order to the Captain of the Port to make in person an immediate search.

I have not yet received the official communication of Senor Berro as to the result; but I have learned from the Captain of the Port that although the most careful search was made on board of the "*Colonia*," nothing whatever was found tending to throw a doubt upon the legality of the voyage which he was about to commence.

The "*Pepa*," referred to in Mr. Callander's despatch, dated the 2nd of August, touched here on her way to Buenos Ayres, where she is at present. I expect some information relative to her from Her Majesty's Vice-Consul at that port, which I will transmit to you should it appear likely to prove useful.

The Brazilian senior naval officer will, I am assured by Mr. Paranhos, receive instructions to watch the movements of the "*Pepa*" and the "*Enrico*."

It was stated that the port of Maldonado, in this State, had for some time past been the resort of slave-dealers, and was the point at which the partitions, cargoes of mules, &c., of the slave-vessels were disembarked, and the necessary appliances for a slaving voyage shipped. It was also asserted, that cargoes of Africans had been disembarked there for introduction into Brazil.

On the 27th ultimo Her Majesty's ship "Locust," Lieutenant Day commanding, proceeded to Maldonado with the object of making inquiries into the truth of these reports. The "Locust" returned here on the 1st instant, but the commander learned that no sea-going vessel had visited Maldonado for the last four months, nor did he become acquainted with any circumstance likely to confirm the statements that had been made with respect to that place.

Lieutenant Day also visited a point upon the coast further to the northward, known as "Costillos," which it had also been asserted was a rendezvous for slave-vessels, but with a like result.

I shall not omit to furnish you, from time to time, with any information which may appear to me to be in the least useful towards furthering the great object which Her Majesty's Government has in view.

I have, &c.
(Signed) LENNON HUNT.

No. 263.

The Earl of Clarendon to Mr. Lennon Hunt.

Sir, *Foreign Office, November* 4, 1853.

I HAVE received your despatch of the 28th of August last, inclosing a copy of a circular note addressed to you by the Monte Videan Minister for Foreign Affairs, stating that the Uruguayan Chambers had passed a Law declaring Slave Trade to be piracy; and I have to instruct you to express to Señor Berro the satisfaction of Her Majesty's Government at this Act, which does honour to the Government of Monte Video.

I am, &c.
(Signed) CLARENDON.

No. 264.

Mr. Lennon Hunt to the Earl of Clarendon.—(*Received January* 16, 1854.)

My Lord, *Monte Video, December* 1, 1853.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 22nd of September last, inclosing the copy of a despatch from Her Majesty's Consul at Saint Catherine's, relative to two vessels which he had been informed were fitting out at Monte Video for the Slave Trade.

I received on the 11th of September last a despatch from Her Majesty's Chargé d'Affaires at Rio de Janeiro, inclosing a copy of a despatch from Mr. Callander, containing the substance of the latter gentleman's despatch to the Earl of Clarendon of the 5th of August, upon the receipt of which I proceeded to make inquiries concerning the "*Pepa*;" but your Lordship will perceive from the copy inclosed of a despatch from Mr. Parish, to whom I referred for information respecting this vessel, which had proceeded to Buenos Ayres, that the "*Pepa*" was about to be engaged upon a lawful voyage.

Another vessel, named the "*Colonia*," under Monte Videan colours, was searched by the Monte Videan authorities at my request, but nothing was discovered on board to confirm the belief that she was about to be employed in the Slave Trade.

I have, &c.
(Signed) LENNON HUNT.

Inclosure in No. 264.

Mr. Frank Parish to Mr. Lennon Hunt.

Sir, *Buenos Ayres, September* 13, 1853.

IN reply to your official letter of the 28th August, respecting some suspicions which had been entertained that the Spanish schooner "*Pepa*" was about to be engaged in the Slave Trade, I am happy to be able to state to you that I have learned from good authority that this vessel is about to proceed on a lawful voyage. On inquiry, an original Charter Party, dated the 5th instant, was produced to me, showing that a British merchant, Mr. Armstrong, had engaged the "*Pepa*" to proceed to the Cape de Verde Islands, and to return to Buenos Ayres with a cargo of salt, bound under a penalty of 2,000 dollars for non-fulfilment.

I may further state to you that the "*Pepa*" is a very slow-sailing vessel, and, from all I can learn, not the description of craft likely to be employed in the Slave Trade.

The foregoing information, however, will be sufficient, I imagine, to remove any doubts which may have existed as to the more immediate proceedings of this vessel.

I have, &c.
(Signed) FRANK PARISH.

No. 265.

The Earl of Clarendon to Mr. Lennon Hunt.

Sir, *Foreign Office, January* 24, 1854.

I HAVE received your despatch of the 1st of December last, reporting that in consequence of a communication which you had received from Her Majesty's Chargé d'Affaires at Rio de Janeiro, you had made inquiries respecting the Spanish schooner "*Pepa*," one of the vessels alluded to in my despatch to you of the 22nd of September last, and that you had ascertained that she was about to proceed to Buenos Ayres on a legal voyage; and I have, in reply, to signify to you my approval of your conduct in this matter.

I am, &c.
(Signed) CLARENDON.

MUSCAT.

No 266.

Consul Sunley to the Earl of Malmesbury.—(Received July 30, 1853.)

My Lord, *British Consulate, Johanna, October 28, 1852.*

COMMODORE WYVILL having communicated to me that the chief residents of Comoro and Mohilla conduct a very large Traffic in Slaves with the eastern coast of Africa, and afterwards despatch them to the Persian Gulf and Red Sea in large dhows, which call for them at certain seasons of the year; I have the honour to report to your Lordship, that after diligent inquiry, I am unable to discover the existence of any Traffic in Slaves from these islands to the Persian Gulf or Red Sea.

At Comoro there are a few slaves introduced from the coast ; but as the residents are poor, and the means of subsistence on this island are scanty, the number must be small.

At Mohilla I have reason to believe that upwards of 300 slaves were imported last year from the eastern coast of Africa, chiefly from places in the vicinity of the Portuguese settlements. Commodore Wyvill has suggested that I should enter into negotiations with the authorities of these islands for the suppression of the Slave Trade, and I entertain no doubt of their willingness to subscribe to an agreement to this effect when formally requested to do so ; but unless means were at hand to detect any very flagrant violation of it, they would care but little for a Treaty.

I am endeavouring to collect exact information upon the Slave Trade at Mohilla, and shall advise with the commanders of Her Majesty's vessels as to the best mode of prevailing upon the authorities of the island to stop it.

I have, &c.
(Signed) WM. SUNLEY.

No. 267.

The Earl of Clarendon to Consul Sunley.

Sir, *Foreign Office, August 30, 1853.*

I HAVE received your despatch of October 1852, stating that you have reason to believe that upwards of 300 slaves were in 1851 imported into the island of Mohilla from the east coast of Africa, and that you entertain no doubt as to the willingness of the authorities in Mohilla and in the island of Comoro to conclude a formal engagement for the suppression of the Slave Trade.

I have accordingly to desire that you will propose to the Chiefs of Mohilla and of Comoro to sign Treaties to that effect, similar to the Treaty which was concluded between Sir Cornwallis Ricketts and the Sultan of Johanna on the 8th of November, 1844.

You will, if necessary, apply to Commodore Talbot to afford you his assistance and co-operation in concluding the proposed anti-Slave Trade Treaties.

I am, &c.
(Signed) CLARENDON.

No. 268.

Consul Sunley to the Earl of Clarendon.—(Received October 21.)

My Lord, *British Consulate, Johanna, August 23, 1853*

I HAVE the honour to report to your Lordship that I have received from the Sultan of Angoxa a messenger duly accredited with his seal and letter, who informed me that the Sultan was desirous of continuing his friendly relations with the English; but being fearful that several of his principal subjects would avail themselves of his desire to put a stop to the Slave Trade at his port, to render him unpopular and subvert his authority, he earnestly begged that Her Majesty's vessels would visit Angoxa from time to time, which would discourage those who were desirous of continuing the Slave Trade, and support him in his attempts to put a stop to it.

I have also to report that I have heard there has been a brisk trade in slaves at ports to the southward of Cape Delgado, but have received authentic information of only two cases. These were two dhows, which landed at Mohilla on the 15th April last, one 80, and the other 30 slaves, all under the age of 15 years. Both dhows came from Angoxa. I also learn that there is a great demand for slaves at Lamoo, where cultivation is on the increase, and that many dhows will be sent to the southward to purchase slaves next season.

So long as the Portuguese prohibit European vessels, engaged in legitimate traffic, from visiting the Arab settlements on the coast, it will be difficult to prevent trading in slaves; for the authorities at Mozambique have not the means, if they have the wish, of suppressing the trade, and Her Majesty's cruizers cannot enter into every river and bay frequented by the native vessels.

I have, &c.
(Signed) WM. SUNLEY.

NETHERLANDS.—(*Diplomatic and Consular.*)

No. 269.

The Earl of Clarendon to Sir Ralph Abercromby.

Sir, *Foreign Office, August* 11, 1853.

I TRANSMIT herewith for your information, and for communication to the Netherland Government, a copy of a despatch which I have received from Mr. Morgan, Her Majesty's Consul at Bahia, reporting the circumstances under which the Chief of Police of that city endeavoured to compel a Netherland vessel, called the "*Gouverneur van der Eb,*" to convey from Bahia to the coast of Africa some free negroes whom the authorities of Bahia intended to transport to Africa against their will.

I inclose also for communication to the Netherland Government a copy of a despatch which I have addressed to Her Majesty's Chargé d'Affaires at Rio de Janeiro, instructing him to remonstate with the Brazilian Government against the unjustifiable proceedings of the Bahia authorities in this matter.

I am, &c.
(Signed) CLARENDON.

No. 270.

Mr. Elliot to the Earl of Clarendon.—(*Received September* 8.)

My Lord, *The Hague, September* 5, 1853.

I HAD the honour yesterday to receive your Lordship's despatch, and according to the instructions it conveyed, I have communicated to his Excellency M. Van Hall the inclosures contained in it, respecting the unjustifiable proceedings of the authorities at Bahia in endeavouring to compel a Netherland vessel to carry to the coast of Africa a number of free negroes whom they were desirous of transporting.

I have, &c.
(Signed) HENRY ELLIOT.

No. 271.

Mr. Elliot to the Earl of Clarendon.—(*Received September* 15.)

My Lord, *The Hague, September* 12, 1853.

I HAVE the honour to inclose herewith a copy of the answer I have received from his Excellency M. Van Hall, to the communication I addressed to him in obedience to your Lordship's instructions relative to the proceedings of the authorities of Bahia, in endeavouring to compel the Dutch vessel "*Gouverneur van der Eb*" to convey to Africa a number of free negroes.

Monsieur Van Hall has informed me that the detention of the "*Gouverneur van der Eb,*" for which demurrage is claimed, was productive of serious incon-

venience, as the crew were attacked by the yellow fever, to which the master of the vessel very nearly fell a victim.

I have, &c.
(Signed) HENRY ELLIOT.

Inclosure in No. 271.

M. Van Hall to Mr. Elliott.

La Haye, le 9 Septembre, 1853.

LE Soussigné, Ministre des Affaires Etrangères, a l'honneur d'accuser la réception de la note, en date du 5 de ce mois, par laquelle M. Henry Elliot, Chargé d'Affaires de Sa Majesté Britannique, a bien voulu lui communiquer un rapport adressé à son Gouvernement par le Consul Britannique à Bahia, ainsi qu'une dépêche du Comte de Clarendon au Chargé d'Affaires de la Grande Bretagne à Rio de Janeiro, l'un et l'autre relatifs à l'embargo mis par les autorités de Bahia sur le navire Néerlandais "*Gouverneur van der Eb.*"

Le Soussigné, en adressant à M. Henry Elliot ses remerciments pour la dite communication, se félicite d'y avoir lu que le Gouvernement de Sa Majesté Britannique partage, touchant la conduite inqualifiable des autorités de Bahia dans la circonstance prérappelée, la manière de voir du Gouvernement du Roi, lequel s'est empressé de donner au Consul-Général des Pays Bas à Rio de Janeiro les instructions les plus formelles pour protester contre une violation aussi flagrante du Droit des Gens, et provoquer à l'égard des faits une enquête qui puisse le mettre à même de déterminer, le cas échéant, la réparation qu'il se croit en droit d'exiger.

Le Soussigné, &c.

(Signé) VAN HALL.

No. 272.

The Earl of Clarendon to Mr. Elliott.

Sir, *Foreign Office, November* 26, 1853.

WITH reference to former correspondence respecting the attempt made by the Chief of Police at Bahia to compel the Netherland vessel "*Gouverneur van der Eb*" to convey free negroes to Africa, I transmit herewith for your information, and for communication to M. van Hall, the accompanying copy of a despatch* which I have received from Her Majesty's Chargé d'Affaires at Rio de Janeiro, stating that the Brazilian Minister for Foreign Affairs has informed him officially that measures have been taken by the Brazilian Government in order to prevent the recurrence of any similar ground of complaint on the part of foreign Governments.

I am, &c.
(Signed) CLARENDON.

* No. 122.

NETHERLANDS.—(*Rotterdam.*)

No. 273.

Sir James Turing to the Earl of Clarendon.—(*Received September* 22.)

My Lord, *British Consulate, Rotterdam, September* 21, 1853.

I DO myself the honour to inform your Lordship that the Consul for the Republic of Venezuela, in this city, M. Hubert van Rijckevorsel, who is at the same time largely engaged in the trade with the coast of Africa, has considered it to be incumbent on him to make me acquainted with intelligence he has received respecting the Slave Trade (for the correctness of which he pledges himself), which he thinks may be interesting to Her Majesty's Government. The following is an extract from the letter he has addressed to me on this matter, viz.:—

"In the cause of humanity, I fancy that I may be doing right to inform you that I have received positive intelligence from Bahia, under date of 19th ultimo, that great efforts are making in Brazil, as well as in Havana, to resume the Slave Trade; and although I place implicit confidence in this intelligence, it has acquired additional claims on my conviction, from the circumstance that the same fact is mentioned by my agents on the coast of Guinea, who more specifically indicate by name one D. T. Martines, at Porto Novo (Slave Coast), as being actively engaged in this detestable Traffic; and I may add that it is carrying on even more extensively on the coast to the southward of Fernando Po.

"You are at perfect liberty, indeed it is my wish, to bring this information to the knowledge of your Government, and to mention my name; but I must be excused from naming my correspondents, as they might be brought into trouble."

I have, &c.
(Signed) JAS. H. TURING.

No. 274.

The Earl of Clarendon to Sir James Turing.

Sir, *Foreign Office, September* 27, 1853.

I HAVE received your despatch of the 21st instant, in which you communicate an extract from a letter addressed to you by M. Hubert Van Rijckevorsel, Venezuelan Consul at Rotterdam, stating that the slave-dealers of Brazil and Cuba are making efforts to renew the Slave Trade on an extensive scale; and I have to instruct you to express to M. Van Rijckevorsel the thanks of Her Majesty's Government for his communication on this subject.

I am, &c.
(Signed) CLARENDON.

No. 275.

Sir James Turing to the Earl of Clarendon.—(*Received October* 13.)

(Extract.) *British Consulate, Rotterdam, October* 11, 1853

I HAVE received information, to the effect that Portuguese and other ships clearing out from Bahia are half loaded with rum and tobacco, but that below those goods the hold is filled with empty water-casks and the fetters required for the Slave Trade; and that very recently vessels so laden have arrived at Porto Novo, after having been visited by British cruisers and allowed to proceed, the latter being no doubt unaware of the imposition practised.

I have considered it to be proper to acquaint your Lordship with this intelligence.

PERSIA.

No. 276.

Lieutenant-Colonel Sheil to the Earl of Malmesbury.—(Received April 15.)

My Lord, *Tehran, February 8, 1853.*

I HAVE the honour to inclose for your Lordship's information, an extract from a despatch from the Resident at Bushire, relative to the importation of slaves at Mohemmera, from whence they are transmitted clandestinely into Turkish Arabia. As this port is situtated within the Shat-ool-Arab, the stream formed by the junction of the Euphrates and Tigris, which is the common property of Turkey and Persia, and as Mohemmera, moreover, is still a subject of discussion between the two Mussulman Powers, I have instructed Captain Kemball not to consider applicable to it the permission granted by the Persian Government for the coercion of the slave-dealing Chiefs by means of English vessels-of-war.

I shall draw the attention of the Persian Ministers to the conduct of the Sheikh of Mohemmera on receiving more precise information from the Resident.

I have, &c.
(Signed) JUSTIN SHEIL.

Inclosure in No. 276.

Captain Kemball to Lieutenant-Colonel Sheil.

(Extract.) *January 11, 1853.*

INFORMATION has reached me, though not in a positive or official form, of a considerable importation of slaves into Mohemmera during the past season, and of their introduction thence by stealth into Turkish Arabia; but referring to the situation of the port in question, and the objections which may possibly militate under existing circumstances against our vessels-of-war operating for the coercion of its Chief, if need be, on the waters of the Euphrates, I do not feel certain that in the present arrangement your Excellency contemplated such a contingency. In the meantime, I have requested the British Agent at Bussorah to obtain, if possible, some specific information relative to the parties concerned in the alleged violation of the King's commands, and confirmatory of their guilt. His reply, when received, will be duly laid before your Excellency.

No. 277.

Mr. Taylour Thomson to Lord John Russell.—(Received April 27.)

My Lord, *Teheran, March 15, 1853.*

I HAVE the honour to inclose, for your Lordship's information, a copy of a despatch which the Resident in the Persian Gulf has addressed to Colonel Sheil, reporting the steps which he had taken, in conjunction with the Persian

Agent, for coercing the Chiefs of Persian slaving ports, in accordance with the instructions which were issued to him by Colonel Sheil on obtaining the sanction of the Persian Government to this measure.

I have, &c.

(Signed) WM. TAYLOUR THOMSON.

Inclosure 1 in No. 277.

Captain Kemball to Lieutenant-Colonel Sheil.

(Extract.) *Bushire, February* 1, 1853.

I SUBMIT herewith, for your Excellency's information, and I trust, approval, copy of a letter which on the receipt of your despatch of the 10th ultimo I addressed to Commodore Robinson, conveying instructions to that officer for exacting the fines from the Chiefs of the Persian ports, whose dependents were guilty of importing slaves during the past season. The only point I believe in this document which calls for remark, is the inclusion on the present occasion of the Sheikh of Kelat. The name of this Chief is mentioned by the Agent at Lingah in his Report transmitted with my despatch of 13th July last year, but his liability was overlooked in my previous references.

I beg likewise to inclose, for your Excellency's information, copy and translation of my letters to the Chiefs of Linga, Mogoo, and Kelat. While discussing the present matter with Meerza Mahmood Khan, and after communicating to that officer the contents (as I did subsequently a Persian draft) of the latter documents, he observed that his instructions enjoined, for the first offence, as well the surrender of the slaves imported as the payment of a fine to the amount of their value, and further the infliction of punishment to the extent of 200 blows of the bastinado. I admitted, of course, the stringency of the Shah's orders, if literally interpreted, but pointed out the very large sums, as estimated in the margin,* to which they would render the parties liable if strictly enforced; and on my adding that the object on this occasion was example rather than punishment, and that I had reason to believe the commutation proposed by me accorded with the views of higher authority at the capital, he expressed his concurrence.

On the 24th ultimo, Ali Reza Khan, a Mohussil, on the part of the Prince-Governor of Fars, arrived at Bushire charged with rukkums (or firmans) to the offending Chiefs, in pursuance of the arrangement reported to your Excellency on the 14th December last. As my reply to his Royal Highness explains fully the reasons which rendered this officer's services no longer available, I confine myself to transmitting herewith a copy and translation of the letter in question, together with a copy and translation of the communication which elicited it. I may mention, however, that a further motive was suggested against the employment of Ali Reza Khan, by the fact that he was furnished with additional orders on the Governor of Lingah, requiring the payment of alleged arrears of revenue to the amount of 1500 tomans, which it was hoped to realize through my instrumentality. The objections are so obvious against my mixing myself up with a claim of this nature, in which I have no concern, and the validity of which I possess neither the means nor the authority to test, that on the matter being first hinted to me through the British Agent at Shiraz, I at once declared my inability to undertake it, and I have now thought it sufficient accordingly to refer his Royal Highness to Meerza Fazl-oollah on the subject.

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* Lingah, 2000 tomans; Mogoo, 800 tomans; Kelat, 500 tomans.

Inclosure 2 in No. 277.

Captain Kemball to Commodore Robinson.

Sir, *Bushire, January* 28, 1853.

HIS Majesty the Shah having extended to the importation of slaves, when effected into the ports of his dominions, the same penalties which are attached to their transport for sale in national vessels, if intercepted at sea, the Persian Ministers have consented to avail themselves of the co-operation of British cruizers to enforce such penalties in the former as in the latter case; and instructions have accordingly been communicated both to Meerza Mahmood Khan and to me to conform to their views in this respect.

The Persian ports into which it has more particularly come to my knowledge that slaves were imported during the past season are those enumerated in the margin,* to the extent respectively which is exhibited in the accompanying translated extracts from letters I have addressed to the local Governors; but as the object on this, the first occasion of their being brought to account, is rather to convey a warning for the future than to inflict punishment commensurate with their offence, the fines which, in correspondence with the Prince-Governor of Fars and the Persian Commissioner, I purpose to levy from them will be found, I believe, adapted to the means and pecuniary resources of the several parties. The amounts being thus determined at the following rate, viz.: from the Sheikh of Lingah, Saeed ben Guzeeb, 200 tomans; Sheikh of Mogoo, Sultan ben Houssein, 80 tomans; Sheikh of Kelat, Mahomed ben Ahmed Mahomed, 50 tomans; I have the honour to request that you will be pleased to proceed with both of the vessels under your command at present available in these roads, as early as the convenience of the public service will permit, for the purpose of requiring payment.

The principle by which we must be guided in the performance of this duty is contained in the despatch of Her Majesty's Envoy at Teheran to my predecessor, under date the 27th December, 1851, of which a copy was furnished by Colonel Hennell to Commodore Porter on the 6th of February following. Meerza Mahmood Khan has declared his intention to accompany the expedition in person, and in requesting you, therefore, to provide him suitable accommodation on board the "Clive," I would suggest that you should allow this functionary greater latitude and control in dealing with the Chiefs of the offending ports than either he or his subordinates might be properly entitled to when engaged afloat, and likewise associate his name with your own whenever you may have occasion to address communications, written or verbal, to the Chiefs in question.

Although a knowledge of the unanimity of the two Governments and the hopelessness of resistance must, I apprehend, preclude the exhibition of decided or sustained contumacy, I am nevertheless sensible that the prosecution of our demands may require the exercise of much judgment and well-timed forbearance in order to obviate a recourse to actual coercion.

On arriving successively before each of the ports to which you are bound, I would recommend your taking steps to prevent the escape of any vessels belonging to its inhabitants which you may find there at anchor. In the event, then, of a disposition being shown to come to a settlement, a reasonable time should be allowed to its Chief to make his arrangements, and, where money may not be immediately forthcoming, readiness should be expressed to receive in lieu suitable pledges, of which the value should rather exceed than fall short of the amount to be exacted.

The adoption of the above course, when the means are at hand, could not fail, I am of opinion, either to satisfy our requisitions or to induce their unequivocal fulfilment; but where such means may not be immediately available, and the refractory Chief is emboldened in consequence to return a positive refusal, resort to harsher measures will of course be unavoidable. In such case local circumstances can alone suggest on the spot the rule of action. Premising that it would be inexpedient to commit yourself to any threats which you may not already have satisfied yourself of your ability to execute, I have only to observe

* Lingah, Mogoo, Kelat.

that the policy of Government in this quarter requires that the operations to which they may lead should be restricted absolutely to the sea, and that before so extreme a measure as the destruction of a vessel, or other property on shore within the reach of naval means, be finally undertaken, care should be observed both by language and intimidation to impress the Chief with a conviction of your earnestness, and sufficient time allowed him to reflect upon the advisability of averting the danger by an early submission.

After this, or in the absence of either of such modes of coercion, I would warn the Chief that until the demand against him be liquidated, his vessels will be subjected to detention wherever they may be met by the Government cruizers; and following up this intimation, would direct the officer commanding the "Tigris" to cruize off his port, or in any direction where the craft in question are likely to be found, in order to give it full effect. The prizes which Lieutenant Tronson might succeed in making thereon, should be secured at Bassidore pending the receipt of further orders.

In conveying suggestions to me for imposing upon the Persian maritime Chiefs the necessity of obedience to the Shah's orders, Her Majesty's Minister at Teheran remarks that the chief point is to prove that we are empowered by the Persian Government to punish their infraction, and that we are prepared to exercise this power, his Excellency adds, with reference to the measures to be employed, "I need hardly say that if mere demonstration can accomplish the object, it will be very desirable, and that recourse should be had to force only when other means fail."

Meerza Mahmood Khan will be accompanied by two attendants. In my intercourse with him since his arrival at Bushire, I have found him to be a person of quiet and unpretending demeanour, and I have pleasure therefore in recommending him to your special kindness and attention.

In forwarding herewith my letters to the Sheikhs of Lingah, Mogoo, and Kelat, communicating the object of your visits to their ports,

I have, &c.

(Signed) A. B. KEMBALL.

Inclosure 3 in No. 277.

Captain Kemball to the Chiefs of Lingah, Mogoo, and Kelat.

(Translation.) *January* 28, 1853.

IT having come to the knowledge of the Persian Government, through Her Majesty's Minister at Teheran, that the inhabitants of several of the ports of Fars had, during the past season, been guilty of importing slaves in violation of the Articles of the Convention concluded between the two States, orders have lately been communicated to Meerza Mahmood Khan, Commissioner on the part of the Shah, for the suppression of the Slave Trade, and to myself, directing us to proceed to the enforcement of the penalties attached to the infraction of the Royal interdict.

The penalties stipulated in His Majesty's instructions are, for the first offence, the confiscation of the slaves with a fine equivalent to their value, and the infliction of two hundred blows of the bastinado; for the second, in addition to the above punishment, the defaulter to be imprisoned and his buglah placed under embargo for a period of six months; and, for the third offence, the buglah is also to be confiscated.

Although the lapse of time, and the impossibility of recovering the slaves, in consequence of their distribution beyond reach, can never be accepted as excuses, still on this occasion I have sought and obtained in your favour the commutation (of these penalties) to a fine of* —— tomans, in the hope that the warning will not be lost upon you.

Whenever it may come to your knowledge hereafter that any of your dependents have been guilty of transporting slaves, it will be your duty immediately to seize the individuals imported, or should they have been landed at any other place, to require ample security for their production or the payment of their value, and further to detain the vessel which brought them, as a pledge

* Lingah, 200 tomans; Mogoo, 80 tomans; Kelat, 50 tomans.

for the liquidation of the fine, being the aggregate value of the whole, to be paid by the Persian Government; otherwise, should you fail in this, be assured you will in your own person be held responsible, and be yourself subjected to all the penalties above quoted.

The captain of the Government vessels conveying Meerza Mahmood Khan is directed to see that you pay forthwith the amount demanded, viz., —— tomans, and I trust that you will not by any delay compel him to have recourse to unpleasant measures.

Inclosure 4 in No. 277.

Captain Kemball to the Prince-Governor of Fars.

(Translation.) *February* 1, 1853.

I HAVE been honoured by the receipt of your Royal Highness's letter dated Rubeeool Awal, acquainting me with the mission of Ali Reza Khan, charged with rukkums (firmans) for exacting fines from the Chiefs of the ports of Fars, whose dependents were guilty of infringing the Shah's interdict upon the Traffic in Slaves.

In expressing my sincere acknowledgments for this mark of your Royal Highness's attention and favour, I beg to assure you that I would gladly have co-operated with Ali Reza Khan on the service in question, had not the receipt of instructions from the capital, enjoining Meerza Mahmood Khan and myself to act in conjunction for its execution, superseded the previous arrangement. I had indeed hoped that a communication I addressed to the British Agent at Shiraz would have prevented his coming, but in this expectation I apprehend I have been disappointed, owing to your Royal Highness's departure for the capital.

Among the rukkums above referred to were others to the address of Hajee Zoorab Khan and Sheikh Saeed Ben Guzeeb the Chief of Lingah, regarding the payment of a considerable sum of money required from the latter; but on this point, as the mission of Ali Reza Khan has been countermanded, I need not further trouble your Royal Highness, the more particularly that I have already fully explained my sentiments on the subject to Meerza Fazl-oollah.

Inclosure 5 in No. 277.

The Prince-Governor of Fars to Captain Kemball.

(Translation.) *Rebbee-ool Awal*, 1269.

AS I afore wrote that I was about to despatch a Mohussil with orders inflicting the fines, here then is Alee Reza Khan, bearer of the promised Rukkums.

The friendship that is well known to exist between the two exalted and allied States requires that the aforesaid, who is a Mohussil, should fully carry out all instructions you may choose to issue in the matter of their (the Arabs') punishment; he has therefore been enjoined in no way to deviate from, or act contrary to, the orders given by you respecting the punishment of those Arabs who have been guilty of importing slaves. I trust that he will, to the utmost of his endeavours, carry into execution your commands, and that you will likewise communicate fully your sentiments unto me, if in need of assistance at my hands; for the Persian Ministers, with a view to strengthening the ties of friendship, have consented to the infliction of correction on the Arabs, that they may become sensible of their inability to break with impunity the rules in force in these parts.

Touching the 1,500 tomans due from Sheikh Sayed, directions have been given that that sum, on realisation, be handed over to your agents.

Meerza Fazl-oollah, the British authority here, will make known unto you the particulars of the method in which the money is, through the co-operation of your people in Lingah, to be realised by Reza Alee Khan, Mohussil, and Hajee Zurab Khan, the latter of whom is there on the spot.

P.S. Fath Alee Dabbashee has returned, and presented me with your letter. As you therein express yourself pleased with the services he performed, I shall not fail to show him every mark of kindness in my power. I hope you will communicate with me frequently, informing me of your welfare.

No. 278.

The Earl of Clarendon to Mr. Taylour Thomson.

Sir, *Foreign Office, May 2, 1853.*

I HAVE received your despatch to Lord John Russell of the 15th of March, and its inclosures, reporting the steps which have been taken by the East India Company's Resident at Bushire, in conjunction with the Persian agent, for punishing the Chiefs of the Persian ports into which slaves have been imported in violation of the Treaty for the suppression of the Slave Trade, concluded by Colonel Sheil with the Persian Government in August 1851.

Her Majesty's Government are of opinion that the instructions contained in Captain Kemball's letter to Commodore Robinson, of the 20th of January last, are very judicious and proper; and I have accordingly suggested to the President of the Board of Control that Captain Kemball should be informed that Her Majesty's Government have entirely approved his proceedings in this matter.

I have also to instruct you to convey to the Persian Government the acknowledgments of Her Majesty's Government for the fidelity with which the Persian Government has, by the prosecution of these Chiefs, fulfilled its engagements towards Great Britain for the suppression of the Slave Trade.

I am, &c.

(Signed) CLARENDON.

No. 279.

Mr. Taylour Thomson to the Earl of Clarendon.—(Received June 9.)

My Lord, *Teheran, April 13, 1853.*

WITH reference to my despatch of the 15th ultimo, I have the honour to transmit for your Lordship's information a copy of a despatch which I have received from the Resident in Bushire, inclosing a report from the Commodore of the squadron in the Gulf of his proceedings in levying, in conjunction with the Persian Commissioner, fines on the Chiefs of Persian slave-trading ports in that sea, together with a copy of my reply.

I venture to hope that the conduct of Commodore Robinson may obtain for him your Lordship's approbation.

I have, &c.

(Signed) WM. TAYLOUR THOMSON.

Inclosure 1 in No. 279.

Captain Kemball to Lieutenant-Colonel Sheil.

(Extract.) *Bushire, March 1, 1853.*

I HAVE the honour to submit to your Excellency a copy of Commodore Robinson's report of his cruize to the Persian coast, in pursuance of the instructions he received from me, for inflicting fines upon the Chiefs in that quarter, whose dependents during the past season were guilty of infringing the Shah's interdict upon the Traffic in Slaves, and I trust that the appreciation I have recorded of its results, in my reply to that officer (of which I likewise inclose a copy), may meet with your concurrence.

Your Excellency will observe that the objects in view have been attained as effectually as could be wished without a recourse to coercive measures. With reference to the people of Kelat, whose liability has not been enforced, I confess that the palliatory circumstances which actuated the executive officers in my judgment likewise sufficiently extenuate their offence to warrant my recommending the case to the favourable consideration of your Excellency and of the Persian Ministers; and it is my intention accordingly to suspend further proceedings regarding it pending the receipt of your decision. The allegation that their Chief interdicted the return of Khumee's buteel (boat) to his port, was not improbably an after-thought prompted by a sense of future responsibility; but the actual landing of the slaves there appearing to be not proven, the loss of his vessel should perhaps be admitted to expiate the fault of her owner in transporting them from Zanzibar. Our active and intelligent agent at Lingah expressed his sorrow to Commodore Robinson for not having earlier represented to me a fact which in this particular instance might have obviated an abortive demonstration, but I do not regret the occasion his omission has afforded for testifying the earnestness of our determination to suppress this contraband trade.

I should add with regard to Moollah Ahmed's deposition that a practice has for some time been resorted to by slavers of landing their cargoes at entreports, such as Jadder and other small ports on the Batinah coast, to be removed afterwards in small craft as opportunity might offer.

In their appeals to me the Sheikhs of Lingah and Mogoo do not pretend to deny the complicity of their dependents, but expatiate on the hardship of their being alone brought to account, when, as the one remarks, all the Chiefs from Bender Abbass to Congoon, and according to the other, the tribes in every direction, are suffered to enjoy impunity; this argument is certainly not without its force, though a beginning must somewhere be made, and it is much to be desired therefore that a distinction apparently unjust, and to the Arab mind unintelligible, may be obviated hereafter by the sufficiency of our own measures to impose likewise upon the Chiefs of Oman the fulfilment of their obligations.

It was once the reproach of Persia that by the immunity she persisted in claiming for her flag, she not only sanctioned the Traffic in Slaves by her own subjects, but (to their profit of course) favoured also its prosecution by those pledged to its abandonment. Your Excellency's influence has relieved her of this demerit, and the spirit of her concession will, it may be hoped, be developed in other quarters.

It remains for me to report the perfect cordiality with which Meerza Mahmood Khan entered upon the execution of the present duty, both as observed by myself, and as brought to my notice by Commodore Robinson.

I inclose the duplicate receipt of the Persian Commissioner for the sum of eighty tomans recovered from the Sheikh of Mogoo on account of his Government, and intimate that the amount from Lingah, when paid, will in like manner be made over to him.

Inclosure 2 in No. 279.

Commodore Robinson to Captain Kemball.

Sir, *Bushire Roads, February* 26, 1853.

IN announcing to you the arrival in these roads of the "Clive," under my command, this day, I have the honour to report that I left Bushire with the vessels "Clive" and "Tigris" on the 1st instant for the lower part of the Gulf, in prosecution of the duty required in your letter of the 28th January.

It was my original intention to have visited the ports Kelat, Mogoo, and Lingah in succession on my way down the Gulf; but when about halfway down, I experienced such a heavy north-west breeze and high sea, that would

not have made it safe to approach the coast; I therefore stood on, and as when near Lingah, the breeze moderated, I anchored off that place on the 4th instant.

Sheikh Seid ben Guzzeeb came on board the "Clive," and after reading your letter, though he complained of the hardship of the fine levied upon him, expressed his readiness to comply with the demand, stating that he should be the last person to show any opposition to the English Government. I explained to him that the fine was levied by the Shah of Persia, and that the determination was in future absolutely to enforce the Treaty for preventing the importation of slaves, and to punish any infraction of it, and warned him to use his utmost endeavours to prevent any slaves being in future landed at his port. He promised that every boat arriving from Zanzibar should in future be searched by our agent, before anybody should have permission to land.

With regard to the payment of the fine (200 tomans), Sheikh Seid ben Guzzeeb stated, that as the amount was large, and he had lately heavy pecuniary demands on the part of the Persian Government to comply with, he had not that sum ready, but asked for a month's grace to pay it. This request both Meerza Mahmood Khan and myself thought might be granted to him, as he showed no opposition to the demand, and expressed himself with the greatest cordiality towards the English and Shah's Governments. I accordingly took a written agreement on his (the Sheikh's) part, to pay the above amount to any Government officer presenting it on the first of the ensuing Mahommedan month. This agreement I left with Lieutenant Tronson, commanding the "Tigris," who will receive the amount at the appointed time.

Having disposed of the Lingah case, I should at once have proceeded to Mogoo Bay, but the "Tigris" not being present, having parted company in the heavy weather we experienced on our way down, coupled with the fact of my having received intelligence of Government coals and other stores for the squadron having arrived at Bassidore, induced me to visit that port first. Before leaving Lingah, I sent Moolla Ahmed to Mogoo with your letter, and one from myself and Meerza Mahmood Khan jointly, in which we pointed out the object of our coming down, and recommended Sheikh Sultan ben Hussein either to pay the fine to Moolla Ahmed at once, or to have the amount ready by the time we arrived at Mogoo, which would be in a few days.

I reached Bassadore on the 6th, and was detained there 11 days by duty connected with the receipt of Government coal and other stores for the squadron, during which time the "Tigris" visited the Arabian coast, and brought the intelligence communicated in my letter to your address of the 19th instant.

On the morning of the 18th instant I left Bassadore with both vessels, and when off Lingah, the agent came on board and brought with him 80 tomans from the Sheikh of Mogoo, which the latter had paid without any hesitation, expressing himself equally unwilling to show any opposition to the English authorities. Notwithstanding the fine having been paid by the Sheikh of Mogoo, I intended to have visited that place, and conferred with the Sheikh, but was informed by Moolla Ahmed that Sultan ben Hussein was absent in the interior, and not expected back for some days: to prevent delay, I therefore addressed a letter to him in the name of myself and Meerza Mahmood Khan, in the same terms that I had (as stated in the third paragraph of this letter) used in my conference with the Sheikh of Lingah, and strongly urged upon him the necessity of preventing in future the importation of slaves into his port.

The matters of Lingah and Mogoo being thus disposed of, there remained only that of Kelat to complete the duty required in your letter now under reply. Regarding this latter place, I beg to annex the accompanying statement made by Moolla Ahmed in presence of myself and Meerza Mahmood Khan, by which it appears that the alleged importation of slaves into the latter port did not take place, by reason that the buteel, with the slaves on board, landed them on the Batinah coast, and herself never reached Kelat, having been wrecked intermediately.

Although it seemed apparent that a boat belonging to Kelat was engaged in the Traffic, yet as your letter expressly defines that the penalties therein laid down are made for the actual importation of slaves into the ports therein named, neither Meerza Mahmood Khan nor myself thought that, after receiving

the agent's statement, we should be warranted in carrying out your instructions with regard to levying the fine, without making another reference to you, and we therefore decided on suspending for the present that part of your instructions.

On my way up the Gulf, deeming it would be advisable to visit Kelat and make further inquiries, I anchored off that port on the 20th instant. The Sheikh himself was absent in the interior, but his *locum tenens* Hassan Abdulla) came on board the "Clive," and to him we communicated the contents of your letter, and informed him of the object of the visit of myself and of Meerza Mahmood Khan.

The explanation of Hassan Abdulla was in substance the same as the annexed statement of Moolla Ahmed: he further stated that the owner of the buteel, that brought slaves from Zanzibar, did so against the Sheikh's orders, and was told that he would not be allowed to return to the port; and under these circumstances he begged for a reconsideration of his case. I informed him, that though I could not take upon myself to remit the penalty, yet I would suspend enforcing it till a reference on the subject was made to yourself, but warned him to be prepared to pay the amount (50 tomans) to the commander of any vessel that might (in the event of your so directing) be sent to receive it. This he promised to do, declaring that the Sheikh of Kelat would never think of acting in opposition to the English.

To the above effect a letter was addressed to the Sheikh himself, by myself and Meerza Mahmood Khan, and left, with your letter, in the hands of his *locum tenens*.

In conclusion I have only to observe, that in prosecution of the above duty, I experienced no difficulty whatever, nor did the Governors of either of the three ports, against whom the fines were levied, show any signs of contumacy.

I have, &c.

(Signed) G. ROBINSON.

Statement of Moollah Ahmed.

A buteel, belonging to Mahomed ben Nasser, went from Kelat to Zanzibar. On her return she brought forty slaves to the Batenah coast, and to Taddy, where they were landed. The buteel came afterwards to Lingah, where she landed some wood. She left Lingah to go to Shiraz, where it came on to blow, and she drove on shore and was totally wrecked. It appears, therefore, that no slaves were landed at Kelat, as presumed in second paragraph of Resident's letter of the 28th January, 1853.

Inclosure 3 in No. 279.

Captain Kemball to Commodore Robinson.

Sir, *Bushire, February 28, 1853.*

IN acknowledging the receipt of your letter of the 26th February, I have the honour to express to you my entire satisfaction with the result of your late cruise, to exact responsibility from the Chiefs of the Persian coast, who, during the past season were guilty of countenancing the Traffic in Slaves at their respective ports, and I venture to think that your proceedings, as reported, will receive the approval of higher authority.

Subsequent to your first visit to Lingah, Sheikh Saeed ben Guzeeb communicated to me by letter, under date 6th instant, the delay you had sanctioned in the payment of the fine imposed upon him, to admit, as he said, of his urging upon me his claim to exemption on the present occasion. His guilt had been no greater, he submitted, than that of the other Chiefs of the Gulf, and he tendered an assurance that he would take steps in conjunction with the British Agent to prevent for the future any infraction of the Shah's interdict within the limits of his jurisdiction. But such pleas do not appear to have been entertained by you, and however fairly an urgent pecuniary pressure entitled

him to the consideration he received at your hands, they cannot, I am of opinion, be held to justify that complete evasion which formed the object of his reference to me. Compliance indeed with his request would be an injustice to the Sheikh of Mogoo; and he should also bear in mind, that although the pre-occupation of the Government cruizers has certainly hitherto secured impunity to the maritime Chiefs of Oman, their vessels, when detected in transporting slaves, would be liable to confiscation; whereas the penalty to which he and his dependents have been subjected, has been comparatively insignificant.

I have accordingly addressed an answer in the above sense to Sheikh Saeed ben Guzeeb, which I herewith inclose, and which I request the favour of your transmitting to Lieutenant Tronson for delivery to him by that officer on the "Tigris," proceeding to Lingah for the purpose of presenting his promissory note.

Under the circumstances alleged, I quite concur with you in the propriety of suspending the demand upon the Sheikh of Kelat, and purpose to refer the question of foregoing its further prosecution for the consideration and decision of his Excellency Colonel Sheil.

In conclusion, I have to observe that the language employed in your communications, written and verbal, to the offending Chiefs, can no less, I believe, have a salutary effect in deterring themselves and others on the Persian coast from again engaging in the Slave Trade, than must the judgment and moderation you exercised in the performance of this duty have made a favourable impression upon the Persian Commissioner, with whom you were associated, and by whom, no doubt, it will be communicated to his superiors at Teheran.

I have, &c.
(Signed) A. B. KEMBALL.

Inclosure 4 in No. 279.

Mr. Taylour Thomson to Captain Kemball.

(Extract.) *Teheran, April* 13, 1853.

I HAVE the honour to acknowledge the receipt of your despatch of the 1st of March, inclosing a copy of Commodore Robinson's report of his proceedings in the levying of fines from Arab Chiefs in the Persian Gulf, who had been engaged during the last season in the Traffic of Slaves.

I fully concur in the opinion you have expressed to that officer of the moderation and judgment he had displayed in the execution of the duty confided to him. I shall transmit to the Earl of Clarendon, Her Majesty's Secretary of State for Foreign Affairs, a copy of your despatch with its inclosures, and I venture to hope that Commodore Robinson's conduct will obtain for him his Lordship's approval.

No. 280.

Mr. Taylour Thompson to the Earl of Clarendon.—(Received June 9.)

My Lord, *Teheran, April* 13, 1853.

I HAVE the honour to inclose for your Lordship's information a copy of a despatch which I have received from the Resident in Bushire, relative to the seizure of two slaves in that town itself. It is only jnstice to the agents of the

Persian Government to say that it was by their means this importation was discovered and confiscation effected, although at the risk of creating a strong feeling of hostility to themselves amongst the natives of Bushire.

I have, &c.

(Signed) WM. TAYLOUR THOMSON.

Inclosure 1 in No. 280.

Captain Kemball to Lieutenant-Colonel Sheil.

Sir, *Bushire, March* 7, 1853.

THE inclosed correspondence, being a letter from me to Meerza Mahmood Khan, with his reply, will acquaint your Excellency with the manumission of two slaves newly imported into Bushire, and their delivery into my hands, to be forwarded to Bombay agreeably to the existing Convention with Persia.

These children, a boy and a girl, are about eight years of age, and understand no language but their native tongue. Through the medium of an interpreter, I have ascertained that they were severally included in considerable cargoes of slaves brought last year from Zanzibar to Rusul Khimah and Muscat. From these places the latter was shipped alone, in a separate vessel; but the former asserts that he had a companion who was not, however, landed at this port, and who, I have reason to believe, was conveyed to the river.

The Persian Commissioner having privately mentioned to me that the proposed confiscation of these slaves, in the absence of any apparent exigency apart from the obligation of duty, had exposed him to much odium, I readily accepted the responsibility of requiring him to fulfil his instructions; but I must acknowledge the credit due to his subordinates for discovering and bringing them to my notice.

I have, &c.

(Signed) A. B. KEMBALL.

Inclosure 2 in No. 280.

Captain Kemball to the Persian Commissioner.

(Translation.) *February* 28, 1853.

HAVING heard during your absence that a negro slave, imported by one Tabroo, had been sold to a resident of Bushire, called Abdoo; also that a negress, brought here by sea, had been purchased by one Hajee Taffer, I gave notice to your deputies, Agha Meerza Tathoollah and Meerza Agna, to apprehend and retain them; and certain parties thereon coming forward to interfere, I likewise advised that they should not surrender them except on being furnished with a written pledge relieving themselves from all responsibility.

The settlement of the case was thus deferred until your return; and I have now to request that you will, in accordance with the Treaty existing between the two Governments, and conformably to your instructions, hand over to me the slaves in question, and further inflict upon the offenders a fine equivalent to their estimated value, at the rate of 15 tomans each. This being the first occasion of enforcing the Shah's orders, I venture to intercede in behalf of the above individuals for the remission of the prescribed corporal punishment, and trust that you will rest satisfied with the mulct to be exacted.

Inclosure 3 in No. 280.

The Persian Commissioner to Captain Kemball.

(Translation.) *February* 28, 1853.

YOUR communication has been received and its contents understood.

Agreeably with the regulations in force, I herewith send unto you the two slaves that were seized by those who officiated during my absence.

The payment of the fine I shall duly enforce, but the punishment, at your request, I remit. May I beg you will, in conformity with the rules laid down, furnish a receipt for the slaves?

No. 281.

The Earl of Clarendon to Mr. Taylour Thomson.

Sir, *Foreign Office, June* 23, 1853.

I HAVE received your despatches of the 13th April last, and their inclosures, reporting the steps which have been taken by the East India Company's Resident at Bushire, in conjunction with Commodore Robinson, the Commander-in-Chief of the East India Company's naval forces in the Persian Gulf, for the purpose of inflicting penalties on the Chiefs in that Gulf who had persisted in carrying on the African Slave Trade, in contravention of the firman issued by the Shah of Persia in June 1848, prohibiting the importation of slaves by sea into his dominions; and I have, in reply, to instruct you to state to Captain Kemball and to Commodore Robinson that Her Majesty's Government entirely approve of their proceedings on the occasion referred to.

I am, &c.

(Signed) CLARENDON.

No. 282.

Mr. Taylour Thomson to the Earl of Clarendon.—(*Received July* 30.)

My Lord, *Camp, near Imãmeh, June* 13, 1853.

IN conformity with the instructions contained in your Lordship's despatch of the 2nd of May, I conveyed to the Persian Ministers the acknowledgements of Her Majesty's Government for the fidelity with which the Persian Government had, by the prosecution of the Chiefs in the Persian Gulf who had been guilty of importing slaves, fulfilled its engagements towards Great Britain for the suppression of the Slave Trade.

The Persian Prime Minister said in reply that he received this intimation of the satisfaction of the British Government with great pleasure, and that it was the earnest desire of the Persian Ministers to consult, as far as possible, on every occasion the wishes of the British Government.

I have, &c.

(Signed) WM. TAYLOUR THOMSON.

No. 283.

Mr. Taylour Thomson to the Earl of Clarendon.—(*Received August* 31.)

My Lord, *Camp, near Imãmeh, July* 3, 1853

I HAVE the honour to inclose for your Lordship's information a copy of a despatch I have received from Captain Kemball, Resident in the Persian Gulf, announcing the capture by Lieutenant Tronson, in command of the Company's brig-of-war "Tigris," of two slaves on board of a Persian vessel.

The slaves had been removed to the "Tigris" for the purpose of being sent to Bombay, and the established fine had been levied from the commander of the slaving vessel.

I have, &c.
(Signed) WM. TAYLOUR THOMSON.

Inclosure 1 in No. 283.

Captain Kemball to Mr. Taylour Thomson.

Sir, *Bushire, June* 14, 1853.

I HAVE the honour to submit herewith for your information copy of a report from Lieutenant Tronson, commanding "Tigris," to his superior, Commodore Robinson, announcing the discovery and seizure of two slaves on board of a Persian vessel.

The amount of fine levied from her nakhoda (captain) by the Persian Agent, associated with that officer, was 400 Mahomed Shah kerrans, and was by him transmitted to Meerza Mahmood Khan, to whom I have furnished a receipt for the slaves. These individuals remain for the present on board of the "Tigris," and will be forwarded to the Presidency by the first favourable opportunity.

I have, &c.
(Signed) A. B. KEMBALL.

Inclosure 2 in No. 283.

Lieutenant Tronson to Commodore Robinson.

The H. C. Brigantine "Tigris," Bassadore Roads,
Sir, *June* 5, 1853.

I HAVE the honour to inform you that on the 30th ultimo I boarded off Bassadore the buglah "*Furras,*" Nacodah Mahomed ben Ahmed ben Hassan, belonging to Hamed ben Hassain and Hashem Hyderabadee, merchants of Lingah. I found two male slaves on board, of the Galla tribe, whom I took possession of, in accordance with the Convention entered into between the British and Persian Governments for the suppression of the Slave Trade. Having done so, I gave the buglah over to the agent for the Persian Government on board the "Tigris," who, I believe, fined the nakhoda, and then allowed him to proceed to his destination.

The slaves I have on board the "Tigris:" may I request that you will be good enough to inform me how they are to be disposed of?

I have, &c.
(Signed) JAMES TRONSON.

No. 284.

Mr. Taylour Thomson to the Earl of Clarendon.—(Received August 31.)

(Extract.) *Camp, near Teheran, July* 14, 1853.

I HAVE the honour to inclose, for your Lordship's information, a copy of a despatch I have received from the Resident at Bushire, announcing the seizure of 36 slaves by the Chief of Lingah, at the instance of the British Agent at that port. Captain Kemball also recommends, with reference to the practice adopted towards Arab tribes of the Gulf not under Persian rule, that some degree of lenity should be exercised in levying the fine which has been imposed on Persian subjects for continuing to import slaves by sea, when the seizures have been effected in Persian ports. It does not, however, appear to me that any real advantage would be gained by the measure he proposes, and my reply, of which I have also the honour to inclose a copy, is framed in that sense.

Inclosure 1 in No. 284.

Captain Kemball to Mr. Taylour Thomson.

Sir, *Bushire, June* 14, 1853.

I HAVE the honour to inclose, for your information, copy of a report from the Agent at Lingah, announcing the seizure of 36 slaves at his instance by the Chief of that port. The accompanying copies of two letters addressed by me on the occasion to Commodore Robinson will acquaint you also with the steps taken for the disposal of these individuals.

In communication with Meerza Mahmood Khan, and with his entire concurrence, I have determined to await the result of the present arrangements with a view to ascertain the number of slaves actually delivered, before proceeding to inflict the stipulated fine upon the importers, the more especially that any additional cases which may come to light during the season can be disposed of at the same time.

I confess, however, that I am inclined to recommend again this year the exercise of some degree of lenity in dealing with cases of infraction of the Shah's interdict by His Majesty's subjects. Sheikh Saeed ben Guzeeb has certainly relieved himself from all personal liability by the prompt manner in which he has fulfilled his obligations, and some allowance should perhaps be made for the parties concerned in the present instance, on the score of their having sailed on their voyage to the African coast prior to our intervention being exercised in January last to exact responsibility from their Chief for like delinquencies, and of their being ignorant, therefore, of our intention to allow them no longer the same impunity, should they be fortunate enough to elude our cruizers, which is still enjoyed by the maritime Arabs.

However irrelevant such a plea may appear to be where the violation of a special Convention is the matter in question, I would still submit that it is not altogether unworthy of consideration. The inhabitants of the Persian coast are very well aware that but for our instrumentality the Persian Government would be powerless to compel their obedience; and viewing the suppression of the Trade accordingly as truly an English measure, they are at a loss to reconcile the stringency of our restrictions as regards them, with the apparent laxity of our supervision over cognate tribes on the opposite shores, whose acts are never questioned after the slaves have once been landed, and who thus with comparatively little risk derive an enhanced profit by their importation.

Under these circumstances, and until our measures become more general for the punishment of transgression, I trust that any reasonable abatement of the prescribed mulct which I may induce Meerza Mahmood Khan to make in this and similar instances will meet with your approval.

I have, &c.

(Signed) A. B. KEMBALL.

Inclosure 2 in No. 284.

The British Agent at Lingah to Captain Kemball.

(Translation.)

Sir, *June* 6, 1853.

BEING aware that the time was drawing nigh for the return of vessels from Zanzibar and Berberah to these parts, I determined to strive and ascertain whether on arrival they contained any slaves or not.

It came to my hearing that a Lingah buglah, owned by one Mahomed Sauleh-el-Koongee, of Lingah, and commanded by Jassim-bin-Dawood, was returning from Zanzibar, having on board a cargo of 39 slaves, of which number 36 were obtained by the crew in shape of barter, and brought some for themselves, some for other people in Lingah; the remaining three belonged to one Hoossein-ibn-i-Hajee Hoossan, a native of Bushire, who was himself a passenger in the buglah, and on his way home, after an absence of three years in Zanzibar, where he had been prosecuting the business of a tinman. This bug-

lah first touched at Kishm, at which place the Nakhoda hired the buglah of one Mahomed Noor (of Kishm) and put on board of her 36 slaves, being 33 for Lingah, and three for the Busheeree whose name is above-mentioned.

The owner of the buglah was directed to sail to some spot along the coast where he would be able to land them (the slaves) during the night unobserved, and convey them by stealth to Lingah. In the buglah were 3 slaves belonging to the Nakhoda; these were landed and lodged at Kishm, and by such contrivances did he manage to enter Lingah on the 10th Shaban without having a s ngle slave on board his vessel.

The buglah left Kishm on the 11th Shaban, and reached Lingah on the 14th idem. I heard of her arrival. She anchored at a distance with a view to escape observation, and in the early part of the night she came close in shore to land her slaves.

Perceiving all this, I forthwith sent intelligence thereof to Sheikh Saeed ben Guzeeb, requesting him to seize and keep in custody all the slaves that were on boord the buglah. I further desired he would command the Nakhoda to obtain from Kishm the 3 he had lodged there on his own account, thus securing possession of every slave that had been brought from Zanzibar per buglah. The Sheik seized all the slaves, 36 in number, and has them in close keeping in his own house. He has also promised to retain them until receipt of your instructions as to their disposal. Anent the three still at Kishm, I beg to submit for your perusal copies of the correspondence that has been held between the Sheikh and myself regarding them.

Inclosure 3 in No. 284.

Captain Kemball to Commodore Robinson.

Sir, *Bushire, June* 8, 1853.

A SEIZURE of 36 slaves having been effected at Lingah by the Sheikh of that port at the instance of the British Agent, I request the favour of your informing me whether arrangements can be made for the accommodation of these individuals on board of the Honourable Company's brig-of-war "Euphrates," now proceeding to the Presidency.

It is so much to be desired that the slaves in question should be removed from their present custody, and placed beyond the risk of lapsing again into servitude, that in order to accomplish so humane an object I am induced to hope it may be in the power of Lieutenant Constable, under instructions from you, to comply with this requisition.

I have, &c.
(Signed) A. B. KEMBALL.

Inclosure 4 in No. 284.

Captain Kemball to Commodore Robinson.

Sir, *Bushire, June* 8, 1853.

IN expressing my thanks for your prompt attention to my requisition of this morning, I have the honour to inclose herewith two communications to the address respectively of the Chief of Lingah, and the British Agent at that port, for transmission by the "Euphrates."

Should not Lieutenant Tronson, commanding the "Tigris" on the Bassadore station, have previously effected the surrender of 36 slaves lately seized at Lingah, I have invited Sheikh Saeed ben Guzeeb to make over these individuals to Lieutenant Constable, from whom he will obtain a receipt for the number delivered. I need hardly observe that it is advisable that officer should leave at the naval depôt any females among them, who may have arrived at the age of puberty, and for whom he may not be able to provide suitable accommodation apart from the crew of his vessel.

With regard to the victualling of his passengers, I presume Lieutenant Constable's best course would be to issue to them provisions from the stores of the "Euphrates," furnishing a bill for the same either direct to this office, or to the Political Department at the Presidency. Moolla Ahmed has been directed to supply each individual with an Arab cloak and an under garment, which it is conceived would be sufficient for the passage to Bombay.

I have, &c.
(Signed) A. B. KEMBALL.

Inclosure 5 in No. 284.

Mr. Taylour Thomson to Captain Kemball.

(Extract.) *Camp, near Tehran, July* 12, 1853.

I HAVE the honour to acknowledge the receipt of your despatch of the 14th ultimo, in which you announce the seizure of 36 slaves by the Chief of Lingah, at the instance of the Agent at that port, and recommend that some degree of lenity should be exercised in levying the fines, to which Persian subjects have made themselves liable by continuing to import slaves by sea into the Persian ports.

In special cases like the one in question, where the trader had made an investment in slaves before the order of December last, making the Chiefs responsible for the acts of the people of their ports, had been promulgated, it appears to me that the leniency you recommend might be exercised without prejudice to the object with which that new regulation was established. But as a general measure, any reduction in the amount of fines, with reference to the present practice adopted in regard to the Arab tribes not under Persian rule, would, I apprehend, be productive of more harm than good. If the reduction in the fine were of small amount, in its modified form, it would be as unpalatable to the offender as if its entire amount had been levied; and if it were considerable, it would afford an additional temptation to the Persian-Arab population to prosecute the traffic.

No. 285.

Mr. Taylour Thomson to the Earl of Clarendon.—(*Received October* 10.)

My Lord, *Camp, near Tehran, August* 9, 1853.

I HAVE the honour to transmit for your Lordship's information a copy of a despatch from Captain Kemball, announcing that the officer commanding the "Euphrates" had received on board of that vessel, for conveyance to Bombay, 34 of the slaves referred to in my despatch of the 14th of July, as having been seized at Lingah by the Sheikh of that place, at the instigation of the British Agent there. Captain Kemball also intimates the capture by the same Chief of two other slaves who had been imported into Kishm.

I have, &c.
(Signed) WM. TAYLOUR THOMSON.

Inclosure in No. 285.

Captain Kemball to Mr. Taylour Thomson.

Sir, *Bushire, July* 15, 1853.

ADVERTING to the seizure of 36 slaves at Lingah, reported in my despatch of the 14th ultimo, I have the honour to acquaint you with the receipt of letters yesterday from that port, to the effect that Lieutenant Constable, commanding the "Euphrates," having satisfied himself that no infectious disorder existed amongst them, had received on board 34 individuals for conveyance to the Presidency. The remaining two had died in the interim. Of the

slaves embarked, some being females, were again landed at Bassadore; their number has not been stated, but will be presently ascertained by Commodore Robinson, who has engaged to see that they be properly cared for during their unavoidable detention at the naval depôt. I have duly communicated the above intelligence to Meerza Mahmood Khan, the Persian Commissioner for the suppression of the Slave Trade in national vessels.

Information has likewise reached me that two of the three slaves (the other being reported dead) who were landed at Kishm by the master of the buglah of Mahomed Sauleh Konjee have been recovered, and are held at my disposal by the Chief of Lingah. It is my intention to direct that they be made over to the charge of the officer in command on the Bassadore station, with a view to their being sent to Bombay by the first favourable opportunity.

I have, &c.

(Signed) A. B. KEMBALL.

No. 286.

Mr. Taylour Thomson to the Earl of Clarendon.—(*Received January* 12, 1854.)

My Lord, *Tehran, November* 8, 1853.

I HAVE the honour to inclose for your Lordship's information a copy of a despatch I have received from the Resident in the Persian Gulf, relative to the importation, by stealth, of some slaves at a port in the vicinity of Bushire. The Resident having been unable, in consequence of his not having received proper co-operation from the Persian Slave Trade Commissioner to obtain a conviction on this offence, I have procured and transmitted to that gentleman a Vizirial letter, of which I have also the honour to inclose a translation.

As this letter is expressed in strong terms, and conveys a threat of removing the Persian Commissioner if he does not faithfully execute the duty confided to him, I trust that Captain Kemball will find his hands strengthened by it, not only in the present instance but on future occasions also.

I have, &c.

(Signed) WM. TAYLOUR THOMSON.

Inclosure 1 in No. 286.

Captain Kemball to Mr. Taylour Thomson.

Sir, *Bushire, September* 14, 1853.

HAVING obtained information that slaves to the number of 7 had been imported from the Red Sea in the buglah "*Mahomedee*," belonging to Hajee Mahomed Bankir, of this town, I brought the circumstance to the knowledge of Meerza Mahmood Khan, the Persian Commissioner.

The "*Mahomedee*," it appears, had landed these slaves at Barrukkee, a small port in the district of Tungistoon, distant about 24 miles from Bushire, and the Deria Beggee (Governor), apprehensive that other cargoes might have been smuggled in the same manner, had given publicity to the occurrence by the inquiries he had caused to be instituted in consequence. Meerza Mahmood then admitted to the Arabic Meerza of the Residency that the first notice of it had been received by him from that functionary.

At first the Persian Commissioner displayed much zeal in requiring the nakhoda and supercargo of the buglah to enter into recognizances, denying complicity in the embarkation of slaves on board of their vessel at Hodeidah, and binding themselves to forfeit certain sums should the contrary be established; but it presently appeared that he was disposed to remain satisfied with this measure; and from his ascribing the information derived from the Deria Beggee to interested motives, which deprived it of any value; and from his lukewarmness otherwise, I perceived that for some cause unexplained the subject no longer engaged his attention. As the only resource left me, I now proposed to Meerza Mahmood Khan, in the terms of the inclosed letter, that the parties concerned should be invited to take oath of their innocence, a means of exculpa-

tion which, in the first instance, was readily embraced, but which, for reasons detailed in subsequent correspondence, was eventually rejected. As two of the individuals, the serheng and a sailor of the vessel, who would be required to observe the above form, had been my informants, I was of course quite prepared for this result, as the necessary alternative of a full disclosure; and it was even more clearly accounted for by the interposition of certain influential merchants of the town, ostensibly unconcerned in the matter, whose interest therein, as mentioned in my last communication to the Persian Commissioner, was nevertheless known to me.

Apart from the practice of confirming an allegation by oath being not uncommon in this country, and being in this particular instance sanctioned by precedent, I need hardly remark to a person possessing your experience of Persian courts and Persian functionaries that it is the only test under existing circumstances which is calculated to elicit the truth, the parties who are alone competent to give evidence in the case can be as little expected to brave the threats and displeasure of their superiors by refusing to record a simple denial of the facts, as, those facts being notorious, the latter would venture to compromise themselves by urging them to commit perjury.

The "*Mahomedee*," being furnished with a register from Bombay, and sailing under British colours, it is, I submit, particularly desirable that the present matter should be prosecuted to a conviction, as it is only on the surrender of the slaves that I could hope to procure evidence against her which would be admissible in a British Admiralty Court. On the other hand, the vessel in question being the one mentioned in the list furnished to his Excellency Colonel Sheil in my letter of 31st January last as the property of Hajee Mahomed Bakir, and being commanded and manned entirely by Persian subjects I entertain some doubt whether you may not decide that she should be brought rather within the operation of the Convention between Great Britain and Persia than be subjected to the provisions of English law.

I have, &c.

(Signed) A. B. KEMBALL.

Inclosure 2 in No. 286.

Captain Kemball to Meerza Mahmood Khan.

(Translation.) *September* 6, 1853.

HAVING understood that you are unable to obtain information respecting the slaves that were brought in the buglah "*Mahmoodee*," and that all your endeavours have proved fruitless and vain, the only way in which the matter can be settled will be by having recourse to the administration of an oath.

I must needs, therefore, trouble you to cause the nakhoda, together with a number of the crew of his vessel, as many as you think proper, to appear before the Cazee, that an oath, agreeably to the contents of the document now written and forwarded to you, may be administered unto them, in the presence of one of your own people, and of a trustworthy person whom I will depute for the purpose. Thus may the matter be brought to a close, and please God, when the day arrives for the dispatch of the packet to the capital, all discussions regarding it will have ceased.

As on a former occasion, and in a case similar to the one under review, where denial was made, the late Resident had recourse to (the administration of) an oath, in order to obtain a settlement, so also in the present instance must that plan be adopted.

Whenever you intend summoning the parties, be good enough to inform me that I, too, may depute a trustworthy person to attend.

Inclosure 3 in No. 286.

Meerza Mahmood Khan to Captain Kemball.

(Translation.) *September* 9, 1853.

I HAVE received your letter desiring that an oath be administered to a number of the crew on board the "*Mahmoodee*" buglah.

Having made myself acquainted with its contents, I desired Hajee Mahomed Bakir to summon the nakhoda (master), supercargo, and first lieutenant for the purpose of the oath being administered unto them.

The first time I sent for these people, he commenced, putting off the matter, and excused himself saying that he would send them on the morrow; he entered also into idle and unprofitable discussions.

Two days after, when I again demanded (their presence), he (Hajee Mahomed Bakir), came with several merchants to my house, and after much talking he finished up by saying,—"Your regulations do not authorize you to make people take oath merely because they are falsely and slanderously spoken of. If such authority be therein given and is in your possession, produce it."

Under existing circumstances it appears to me advisable, for several reasons, that we should both refer the matter of the oath to Tehran, and act agreeably to the orders thence received.

Meanwhile, until the answer arrives I shall, to the best of my ability, diligently prosecute inquiries: perchance some information may be gained. At all events you will know that I shall not be sparing or remiss in my endeavours.

Inclosure 4 in No. 286.

Captain Kemball to Meerza Mahmoud Khan.

(Translation.) *September* 12, 1853.

I WAS surprised to learn from the contents of your note that the persons concerned in the importation of the slaves had now declined an arrangement for exonerating themselves, to which yourself informed me they had acceded, and which is supported by a precedent. Their backwardness to take the oath tends only to confirm the fact of slaves having been brought in Hajee Mahomed Bakir's buglah communicated to you in my first letter. You are of course the best judge of the intentions of the Persian Ministers; yet I must suppose that the instructions with which you are furnished include the adoption of every expedient conducive to the suppression of the traffic. My information regarding the presence of the slaves in question at Tungistoon is derived from eye-witnesses. One of these luckless creatures is a eunuch who has not recovered from the effects of the operation he has undergone, and stands in need of medical treatment. Under these circumstances, I must beg you to inform me whether you have taken steps as well to prevent their removal, as the evasion of parties from whom responsibility is due on their account.

Inclosure 5 in No. 286.

Meerza Mahmood Khan to Captain Kemball.

Translation.) *September* 13, 1853.

YOUR letter regarding the slaves that were brought in the buglah of Hajee Mahomed Bakir, and landed at Tungistoon, wherein you wrote that you were convinced of the truth of the report, has been received and understood.

I have oftentimes represented to you that in no matter that shall come to my knowledge will I permit myself to be in the slightest degree slothful or careless; indeed, you must be assured of the truth of what I now say, knowing

as you do that from the day of my nomination to the present appointment I have not, in the performance of the duties committed to my charge, shown one tittle of neglect, or closed my eyes on any occasion.

Now that you have written in this strain, and are sure the story is true, it behoves me also to strive to the best of my ability, and bring the matter to an issue.

From my former researches and investigations I gathered nothing; the only course that appears left, and likely to be of use is for me to address a letter to Ahmed Khan at Tungistoon, and despatch a man thither for the purpose of making inquiries both within and without the city; perchance we may thereby obtain some information.

It would appear from your letter, that in your mind the truth of the story is undoubted and clear, but I call God to witness that had the matter been known to me, I would have made all endeavours proper to bring it to a satisfactory conclusion.

As affairs now stand, the sole course remaining is for me to depute the messenger and send the letter, that I may see what answer I get and where the matter ends. I will assuredly acquaint you with the tenor of the reply as soon as I receive it; and you also will (I doubt not) carefully avail yourself of every opportunity to establish the (truth of the) case; for when a matter has been pushed thus far, it would be well to bring it to a conviction.

What you wrote, begging I would inform you that I had made arrangements to prevent the removal of the slaves, the promissory notes in my possession will secure that point, for the parties who furnished the document are ever in sight.

I must beg you will acquaint me in what manner you intend reporting the case to the capital, that I, too, may write accordingly.

Inclosure 6 in No. 286.

Captain Kemball to Meerza Mahmood Khan.

(Translation.) *September* 13, 1853.

I HAVE received your note and have understood its contents. With reference to the intention you announce of despatching a person to Tungistoon, I three days ago wrote to Ahmed Khan advising him of my having a claim upon the slaves in question, and begging that he would not permit them to pass out of his hands without previously giving notice to me, or without receiving an instruction to this effect from you. As, however, it was out of his power to furnish a reply to my letter until he had communicated with his friends here, I hardly think the despatch of a person on your part would be productive of any advantage, although an oath taken by Moollah Behzad to the effect that he has neither seen nor held possession of the slaves might not be without some weight.

The objects I have principally in view refer of course to the slaves themselves, as the buglah (in which they were imported) having a British pass and colours, the responsibility of her owners is a separate matter; but they for the most part having been consigned to Hajee Abdul Mahomed Sheffee and Hajee Mahomed Bakir, their liberation must rest with you. Now that I have been under the necessity of mentioning the names of these parties, you will percieve that their interference in a matter which did not concern them as well as their interposition to prevent the oath being taken by the people of the vessel was not altogether disinterested.

Inclosure 7 in No. 286.

Meerza Mahmood Khan to Captain Kemball.

(Translation.) *September* 14, 1853.

I HAVE received your letter, you wrote me word that my sending a man to Tungistoon would be useless trouble and productive of no advantage.

Yesterday, at the very time I was addressing you, I wrote a letter to Ahmed Khan on the subject and despatched a man likewise. I also reprehended him in a suitable manner, pointing out that the matter (under discussion) was one of importance connected with the state, and not a case to be trifled with; nay, more than this in the above strain did I write. Herewith his answer which I enclose for your information.

In short this matter fills me with astonishment, for Ahmed Khan had sent a message to say that any party who had seen (the slaves) had better come and point them out; I am at a loss how to act. Further what you wrote saying that the buglah having a British pass and colours, the responsibility of her owner is a separate matter, but the slaves having been consigned to Hajee Abdul Mahomed, Hajee Mahomed Sheffee, and Hajee Mahomed Bakir, the latter question rests with me (it is plain), whenever the subject be brought to a proof and the fact established, the slaves having passed into my hands, all the parties above-mentioned are at hand and in sight, and I shall act towards them agreeably to the regulations.

In my letter of yesterday, I begged you would inform me what you wrote to the capital on this head, that I too might write likewise: you, however, did not mention the subject.

Should you be representing the affair to the capital, my desire is to be informed, that I may represent it in like manner; if on the other hand you do not intend referring it by this present packet, wishing first to prosecute it to a conviction, be good enough to acquaint me.

Inclosure 8 in No. 286.

The Sedr Azim to Meerza Mahmood Khan.

(Translation.) *October* 19, 1853.

ACCORDING to what has been reported by the British Mission, a buglah named "*Mahmoodee*," belonging to Hajee Mahomed, a Persian merchant, took cargo at Hudeydeh for the port of Bushire. Instead of proceeding forthwith to Bushire, the buglah in question anchored at Barukhee, a small port in the district of Tungistoon, distant about six fursukhs from Bushire. The Governor of Bushire, apprehensive that other cargoes might have been smuggled, and at the same time the British Resident, also under the supposition that slaves, known to be on board, might have been landed on the coast, made inquiries on the subject, and learned that in that very port (Barukhee) seven slaves—one of whom had recently been made a eunuch, and whose scars were not yet healed—had in reality been landed and concealed.

The circumstance was immediately brought to your knowledge by the British Resident and the Governor of Bushire. At first, in conformity with your duty, you took every step to verify the deed, and exacted a fine from the nakhoda and crew of the buglah, so that if the circumstance should be proved, the fine established by the Government should be taken from them; and the British Resident required that the crew and nakhoda in question, who had paid the fine, and were thus exonerated, should take oath of their innocence. At first this was agreed to by those people; but afterwards, three merchants of Bushire, who ostensibly were unconcerned in the matter, but who, in reality, were the owners of the slaves, interposed, and forbade the nakhoda and the crew to take the oath, and you had remained silent in this proceeding.

On this account I deem it necessary to tell you that in truth your conduct has been very improper, and that on the receipt of this letter, you will either cause the oath to be administered without delay to these people in the mode

demanded, or you will levy from them the established fine, which is for the profit of the Government, and transmit it forthwith (to the treasury). And if you cause any further delay in the matter, or neglect it in any way, you will without fail be fined in a sum of 200 tomans, and, what is more, you will be dismissed from your post.

You must not deviate a hair's breadth from the instructions given you by your Government, and you will, moreover, take the most efficient steps to put them in execution, and any other course will be disapproved of. I intended to write this to Meerza Hoossein Alee Khan, the Governor of Bushire, but as it is a part of your duty, I have written to you first, and earnestly expect you will bring this matter to a speedy conclusion.

No. 287.

The Earl of Clarendon to Mr. Taylour Thomson.

Sir, *Foreign Office, January* 18, 1854.

I HAVE received your despatch of the 8th of November last, reporting that seven slaves had been landed near Bushire in the Persian Gulf, and that the parties implicated in the transaction had escaped punishment, owing to the want of co-operation on the part of the Persian Commissioner with the East India Company's Resident; and I have in reply to express to you my approval of your proceedings in having procured a Vizirial letter, to be addressed to the Persian Commissioner on the subject of his neglect of duty.

I am &c.

(Signed) CLARENDON.

PORTUGAL.

No. 288.

The Earl of Clarendon to Sir R. Pakenham.

Sir, *Foreign Office, May* 17, 1853.

I TRANSMIT to you, herewith, copies of three despatches* from Her Majesty's Commissioners in the Mixed British and Portuguese Commission Court at St. Paul de Loanda, on the subject of the capture of the Spanish brig "*Gallina*" off Quicombo, on the 16th of December last, by Her Majesty's ship "Waterwitch," for being engaged in the Slave Trade.

You will see by the inclosed papers that Captain Gardner of Her Majesty's ship "Waterwitch" had, with the consent of the Portuguese Governor at Quicombo, landed at that place a portion of the crew of the captured vessel, previously to sending her to St. Helena for adjudication; that these persons were subsequently brought to Loanda; and that they were eventually sent to Lisbon, together with their captain, by the Governor-General of Angola, to be placed at the disposal of the Portuguese Minister of Marine and Ultramar.

I have to instruct you to communicate the inclosed papers to the Portuguese Government, and to urge them to take effectual measures for the prosecution and punishment of the captain and crew of the "*Gallina*."

I am, &c.

(Signed) CLARENDON.

No. 289.

Sir R. Pakenham to the Earl of Clarendon.—(*Received June* 4.)

My Lord, *Lisbon, May* 28, 1853.

A FEW days ago I received an anonymous letter in the Portuguese language, directing my attention to a case in which this Government was represented to have committed a direct infraction of the Treaty between Great Britain and Portugal for the suppression of the Slave Trade.

The statement contained in this letter was to the effect that a brig formerly called the "*Carvalho*," which had been condemned some time ago by the Portuguese authorities at Angola for participation in the Slave Trade, and which had been retained by the Portuguese Government for the public service, had been sold in the month of March last to a Jewish merchant at Lisbon, instead of having been broken up and sold in separate parts, as required, if not by the letter at least by the spirit of the engagements between the two countries.

On inquiry I find that a great part of what is thus stated is substantially true; that is to say, that a ship called the "*Carvalho*" was condemned at Angola in 1847 and retained in the Portuguese service, and that a vessel bearing the same name was, in the month of March last, sold out of the navy to a Jewish merchant, and having been fitted for sea under a different name is now taking on board a cargo for Bahia.

It can scarcely be doubted that the vessel thus disposed of is the brig "*Carvalho*," which was reported by Her Majesty's Commissioners at Loanda, in September 1847, to have been condemned by the Prize Court at that place for

* See Class A, Nos. 58, 59, 61.

having been concerned in the Slave Trade; and supposing this to be the fact, it would seem equally clear that the Portuguese Government have thus been guilty of an evasion, if not of a positive violation, of their engagements to Great Britain upon the subject of the Slave Trade.

For if it is true that the XIth Article of the Treaty of 1842, and the regulations issued by the Portuguese Government for the guidance of their Prize Courts in cases of this nature, reserve to the Government the right of retaining possession of vessels condemned by those Courts, and that nothing is said either in the Treaty or in those regulations as to what is to be done with such vessels when no longer required for the public service, it is obvious that if the practice were admitted of disposing of vessels of this kind after a comparatively short period of service in the navy of either country, and, as has happened in the present instance, in such good condition as to enable them to be made ready for sea within five or six weeks, the stipulation about breaking up and selling them in separate parts might as well have never been entered into.

Under these circumstances I hope that your Lordship will approve of my having addressed to the Viscount d'Athoguia the note of which I have the honour herewith to submit a copy, requesting explanations regarding this transaction, and expressing the extreme regret with which, supposing my information to be correct, Her Majesty's Government would hear of such a breach, on the part of Her Most Faithful Majesty's Government, of the engagements existing between the two countries for the prevention of the Slave Trade.

The fact of the condemnation of the brig "*Carvalho*" will be found reported in a despatch from Her Majesty's Commissioners at Loanda dated 6th September, 1847, and the regulations promulgated for the guidance of the Portuguese Prize Courts in cases relating to the Slave Trade were inclosed with Lord Howard de Walden's despatch to Viscount Palmerston of 24th September, 1846.

I have, &c.

(Signed) R. PAKENHAM.

Inclosure in No. 289.

Sir R. Pakenham to Viscount d'Athoguia.

Sir, *Lisbon, May* 23, 1853.

IT has been represented to me that a vessel formerly called the "*Carvalho,*" which was sold out of the Portugese navy in the month of March last, has been equipped for sea by the person who purchased her, and is now to sail under a different name as a merchant-vessel for a port in Brazil.

I am furthermore assured that this vessel is one which was condemned by the Prize Court at Loanda in the month of September 1847, as having been engaged in the Slave Trade.

If my information on this subject be correct, what has happened in the case of the "*Carvalho*" will be a source of great regret to Her Majesty's Government, as involving a breach on the part of the Portuguese Government of the engagements existing between the two countries for the suppression of the Slave Trade.

Supposing the vessel to have been, as is reported, condemned by the Prize Court at Loanda for having been engaged in the Slave Trade, she ought, according to the provisions of the Royal Decrees of 4th September, 1844, and 10th September, 1846, to have been broken up and sold in separate pieces, unless, indeed, the Government, acting upon the reservation contained in the Decree of 10th September, 1846, preferred to retain possession of her for the public service.

It would seem that in this instance Her Most Faithful Majesty's Government did prefer the alternative of retaining possession of the vessel; but it seems to be quite at variance with the obligations of the same Government, whether founded upon the Royal Decrees above referred to or upon the stipulations of the Treaty with Great Britain, that a vessel so retained should, after having figured for a short time as belonging to the Royal navy of Portugal, be sold out of the service and in a condition so perfect as to enable her to be made ready for sea within the short period intervening between the end of March last and beginning

of the present month of May; a course of proceeding which must act quite in contravention of the objects proposed, as well by the Treaty with Great Britain as by the Decrees of Her Most Faithful Majesty, intended to give effect to that Treaty.

I shall be happy, indeed, if it be in your Excellency's power to assure me that the information which has reached me respecting this affair is incorrect, and that nothing has occurred, in the case of the vessel of which I speak, at variance with the letter or the spirit of the engagements of this country for the suppression of the Traffic in Slaves.

I have, &c.
(Signed) R. PAKENHAM.

No. 290.

Sir R. Pakenham to the Earl of Clarendon.—(*Received June* 13.)

My Lord, *Lisbon, May* 28, 1853.

I HAVE the honour herewith to inclose, in original, as they have been sent to me for this purpose by Her Majesty's Consul at Lisbon, a series of despatches which he received yesterday from Mr. Brand, Her Majesty's Vice-Consul at Loanda.

The despatches appear to me to deserve the early attention of Her Majesty's Government, as there are facts stated in them indicating a disposition on the part of the Portuguese authorities in that part of the world respecting the territory of Ambriz altogether at variance with the policy and intentions of Her Majesty's Government.

I shall perhaps have an opportunity of seeing the Minister for Foreign Affairs this afternoon, when I will not fail to remind him of the explanations which have already taken place between the two Governments respecting the port and territory of Ambriz, and especially of the answer given by Her Majesty's Government to the last overtures of the Portuguese Government upon this subject, which will be found in Viscount Palmerston's despatch of 17th October, 1851.

I have, &c.
(Signed) R. PAKENHAM.

Inclosure 1 in No. 290.

Consul Smith to Sir R. Pakenham.

Sir, *Lisbon, May* 28, 1853.

I HAVE just received from Mr. Brand, the Vice-Consul at Loanda, two communications of so important a nature that, there not being time to copy the voluminous inclosures which accompany them, I am induced to forward them at once to you in original, for your immediate information, and in order that you may be enabled to transmit them to Her Majesty's Government by the mail now going.

In the first of these communications, dated the 7th March last, Mr. Brand informs me that Captain Antonio Sergio de Souza has been superseded as Acting Governor-General of the province of Angola by Captain Antonio Ricardo Graça, Commandant of the Portuguese naval station on that coast. He likewise acquaints me that in the number of the official Gazette wherein the Decrees exonerating Captain Souza and appointing his successor were published, there also appeared the copy of a report made to the Minister of Marine and Colonial Affairs by the two deputies for the province, recommending among other measures for the benefit of the colony the immediate occupation of Ambriz, and that he had lost no time in making the matter known to the senior officer of Her Majesty's naval forces on that part of the coast.

Copies of the correspondence which took place between Mr. Brand and that officer, Commander Wilmot, of Her Majesty's ship "Harlequin," accompany the despatch of March 7th now forwarded.

In his despatch of March 23rd, Mr. Brand incloses copies of a further corre-

spondence between Commander Wilmot and himself relative to a deputation sent by the King and Chiefs of Cabinda to the Governor-General, as well as copies of a correspondence which took place between himself and the Governor-General respecting the course recently entered upon by Commander Wilmot in treating directly and entering into Conventions for the more effectual suppression of the Slave Trade with the native Chiefs of Cabinda, Ambriz, and other places, situated within that part of Western Africa lying between the latitudes of 5° 12′ and 3° south, which proceeding his Excellency declares he considers as a breach of the Treaties existing between Great Britain and Portugal, and as involving a violation of the rights of the Portuguese Crown.

You will find a full explanation of the subject in Mr. Brand's reply and the other papers inclosed in the despatch.

I have, &c.
(Signed) H. SMITH.

Inclosure 2 in No. 290.

Vice-Consul Brand to Consul Smith.

Sir, *Loanda, March 7*, 1853.

I HAVE the honour to acquaint you that Captain Antonio Sergio de Souza has been superseded as Acting Governor-General of this province by Captain Antonio Ricardo Graça, Commandant of the Portuguese naval station on this coast.

The new Governor-General *ad interim* entered upon the duties of his office on the 19th ultimo, and his predecessor, who is directed to return immediately to Lisbon, is only waiting for a suitable vessel in which to procure a passage to Portugal.

The Royal Decrees exonerating Captain Sergio de Souza, and appointing his successor, appeared in the official "Gazette" of this province on the day the change of Government actually took place, and, in the same number of the "Gazette," there also appeared the copy of a report made to the Minister of Marine and Ultramar by the two deputies for this province, in which, among other measures recommended as likely to prove beneficial to the colony, the immediate occupation of Ambriz is mentioned.

I lost no time in making this matter known to the senior officer of this division, forwarding to him two copies of the official "Gazette" of the 19th ultimo, and I herewith inclose copies of the correspondence which passed between us on that occasion.

With the copy of my letter to Commander Wilmot I also send you two other copies of the "Gazette" referred to, in which, besides the Royal Decrees bearing on the change of Government here already mentioned, you will see the various measures recommended by the two deputies for this province.

In a future despatch I purpose making some observations on these measures, but for the present I limit myself to forwarding the inclosed papers, and as the subject of the occupation of Ambriz is one in which Her Majesty's Government takes a deep interest, I beg respectfully to suggest that these papers should be communicated to Her Majesty's Principal Secretary of State for Foreign Affairs.

I have, &c.
(Signed) G. BRAND.

Inclosure 3 in No. 290.

Vice-Consul Brand to Commander A. E. Wilmot.

Sir, *Loanda, February 19*, 1853.

I BEG to inclose herewith copy of the official "Gazette" of the Government of this province, of this day's date, in which, besides the two Decrees of the Government of Her Most Faithful Majesty at Lisbon, transferring the General Government of the province of Angola *ad interim* from Captain Sergio de Souza to Captain Antonio Ricardo Graça, and the three Portarias of the late Acting

Governor-General relative to the removal of the respective Commandants of Quicombo and Novo Redondo, and other changes at these places, arising, I hear, out of circumstances connected with the recent capture of a slave-vessel in that vicinity by Her Majesty's sloop "Waterwitch," you will observe the copy of a report made by the two deputies for this province to the Cortes, one of whom, Senhor F. J. da Costa e Silva, was recently Secretary-General of this Government, to the Minister of the Marine and Colonial Department, in which document, among other matters recommended as likely to be beneficial to this province, there is mentioned the immediate occupation of Ambriz. This recommendation is contained in paragraph 8 in the following terms:

"We ask in like manner that, without delay, there be carried into effect the greatly desired occupation of Ambriz. We do not now enter into a historical detail, as one of us has already done so, *viva voce*, of the evils which the contraband trade at Ambriz causes to the trade of Loanda; this would occupy much space: but it is certain that unless a remedy be applied to those evils, the revenue of the Loanda custom-house will become from time to time more and more diminished, and, as it is the principal source of the public revenue of the province, payments will fall in arrears, from which may follow the most serious consequences in a garrison composed generally of convicts, as is that of Loanda."

The occupation of Ambriz appears thus to be recommended here as a means of preventing the diminution of the revenues of the custom-house of this city. The subject, however, is by no means a new one, for such occupation has for years past been, from time to time, recommended by members of the Cortes, by writers on the Portuguese colonies and by the authors of articles in the Lisbon newspapers. Although I am, therefore, under no apprehension of any immediate effort being made to carry out the advice of the two deputies for this province, yet, as the matter seems never wholly to be lost sight of, and as Ambriz is beyond the acknowledged limits of the Portuguese territory on this coast, and as, moreover, there is a considerable amount of British commerce at that place which could not fail to be injuriously affected by any attempt at occupation by the Portuguese, whilst it is to be feared such occupation would also tend to impede the complete suppression of the Slave Trade, I think it right to lose no time in addressing myself to you as Senior Officer of this division for the purpose of bringing under your special notice the recommendation in question, well assured, from your known zeal and activity, that the subject will receive from you all the attention and consideration which it deserves.

I have, &c.

(Signed) G. BRAND.

Inclosure 4 in No. 290.

Extracts from the "Boletim Official" of the Province of Angola.

Decreto.

Ministerio da Marinha e Ultramar.

HEI por bem determinar que o capitão de fragata da armada, Antonio Sergio de Souza, que por Decreto de 8 Marco de 1851, se acha interinamente exercendo o cargo de Governador-Geral da provincia de Angola, entregue o Governo da mesma provincia ao capitão de mar e guerra, Antonio Ricardo Graça, a quem por Decreto da data deste, houve por bem nomear Governador-Geral interino da referida provincia, regressando o mencionada capitão de fragata immediatemente a esta Côrte, na primeira opportunidade. O Conselheiro Antonio Aluizio Jervis de Atouguia, Par do Reino, Ministro e Secretario d'Estado dos Negocios da Marinha e Ultramar, o tenha assim entendido e faça executar.

Paço, em 24 *de Novembro de* 1852.

(Assignado) RAINHA.

(Assignado) ANTONIO ALUIZIO JERVIS DE ATOUGUIA.

Decreto.

HAVENDO por Decreto da data deste, ordenado que o capitão de fragata da armada, Antonio Sergio de Souza, fizesse entrega do Governo-Geral da provincia de Angola, de que interinamente se achava encarregado, e regressase a esta Côrte: hei por bem nomear para exercer o cargo do Governador-Geral interino da dita provincia, o capitão de mar e guerra da armada, Antonio Ricardo Graça. O Conselheiro Antonio Aluizio Jervis de Atouguia, Par do Reino, Ministro e Secretario d'Estado dos Negocios da Marinha e Ultramar, o tenha assim entendido e faça executar.

Paço, em 24 *de Novembro de* 1852.

(Assignado) RAINHA.

(Assignado) ANTONIO ALUIZIO JERVIS DE ATOUGUIA.

Portaria No. 188.

Repartição Civil.

O GOVERNADOR-GERAL da provincia de Angola e suas Dependencias, determina o seguinte:

Hei por conveniente demitir do logar de Commandante do Presidio de Novo Redondo, para que havia sido nomeado por Portaria do Governo-Geral de 9 de Fevereiro de 1849, o Alferes do Batalhão d'Infanteria de Linha desta cidade, Zacarias da Silva Cruz, por não convir ao serviço publico que elle continue no exercicio daquella Commissão.

As authoridades e mais pessoas a quem o conhecimento desta competir, assim o tenham entendido e cumpram.

Palacio do Governo em Loanda, 14 *de Fevereiro de* 1853.

(Assignado) ANTONIO SERGIO DE SOUZA,
Governador-Geral Interino.

Portaria No. 189.

O GOVERNADOR-GERAL da provincia de Angola e suas Dependencias, determina o seguinte:

Não convindo ao serviço publico, que o Alferes do extincto Batalhão de Voluntarios de Loanda, Antonio dos Santos Silva Patricio, continue no exercicio de Regente do estabelecimento de Quicombo, hei por conveniente demitti-lo do referido logar.

As authoridades e mais pessoas a quem o conhecimento desta competir, assim o tenham entendido e cumpram.

Palacio do Governo em Loanda, 14 *de Fevereiro de* 1853.

(Assignado) ANTONIO SERGIO DE SOUZA,
Governador-Geral Interino.

Portaria No. 190.

O GOVERNADOR-GERAL da provincia de Angola e suas Dependencias, determina o seguinte:

Hei por conveniente nomear para exercer o logar de Commandante do Presidio de Novo Redondo, em quanto Sua Magestade a Rainha não ordenar o contrario, ao Capitão do Batalhão de Infanteria de Linha desta cidade, João José Pereira, que sollicitará o seu respectivo diploma, pagando préviamente os direitos que dever; e hei outro sim por conveniente determinar, que o estabelecimento de Quicombo seja d'ora em diante considerado como uma divisão pertencente ao Presidio de Novo Redondo, attendendo a acharse muito proximo daquelle Presidio, e conter em si um pequeno numero de moradores.

As authoridades e mais pessoas a quem o conhecimento desta competir, assim o tenham entendido e cumpram.

Palacio do Governo em Loanda, 14 *de Fevereiro de* 1853.

(Assignado) ANTONIO SERGIO DE SOUZA,
Governador-Geral Interino.

Extract from the Report of the Two Deputies for the Province of Angola to the Cortes.

"8. PEDIMOS pela mesma fórma que, quanto antes, se realise a tão desejada occupação do Ambriz. Não historiâmos, como um de nós já fez de viva voz, os males que o commercio de contrabando do Ambriz faz ao de Loanda—isso seria longo: mas é certo que a não se remederaem semelhantes males, os cofres da alfandega de Loanda hão de cada vez ir em maior decadencia; e, attenuada assim esta precipua fonte de receita publica, os pagamentos soffrerão atraso, seguindo-se dahi os mais funestos extremos para uma guarnição composta geralmente de degradados como é a de Loanda.

Inclosure 5 in No. 290.

Commander A. E. Wilmot to Vice-Consul Brand.

Sir, "*Harlequin*," *off Ambriz, February* 22, 1853.

I HAVE the honour to acknowledge the receipt of your letter of the 19th instant, with its inclosures, in which you call my attention to the copy of a report made by the two deputies of the province of Angola to the Cortes, in which document, among other matters recommended as likely to be beneficial to the province, there is mentioned the immediate occupation of Ambriz, as is seen in the translation of that part which relates to this subject in particular, which you are good enough also to forward.

I beg to return you my best thanks for this communication, which I shall forward by the very first opportunity to the Commander-in-chief, that he may be aware, as soon as possible, that this subject, which has never been lost sight of by the Portuguese Government, has again been brought before their notice in the manner mentioned in your letter.

The British Government anticipating the possibility, though not the probability, of the Portuguese Government taking measures to accomplish the suggestions of parties in this country, have already given directions for a strict watch to be kept over their proceedings with regard to Ambriz, and to oppose the pretensions of the Portuguese Government to the right of claiming this place as a part of their territory upon this coast by every means in our power.

You may rest assured that I shall regard with great interest the intentions of the General Government of Angola towards every part of this country that is not recognized by Great Britain as their right.

I have, &c.

(Signed) ARTHUR P. EARDLEY WILMOT.

Inclosure 6 in No. 290.

Vice-Consul Brand to Consul Smith.

Sir, *Loanda, March* 23, 1853.

IN my preceding number I reported the change that had taken place in this General Government, and inclosed copies of a correspondence between the senior officer of the southern division and myself relative to the proposed occupation of Ambriz by the Portuguese Government, suggesting that the papers which I transmitted should be communicated to Her Majesty's Principal Secretary of State for Foreign Affairs.

I have now the honour to inclose herewith copies of a further correspondence which has passed between the senior officer and myself relative to a deputation sent by the King and Chiefs of Cabinda to this General Government.

With the copy of my letter to Commodore Wilmot you will receive two

copies of the official "Gazette" of this province, in which the announcement of that deputation appears.

Referring you to the papers inclosed in this despatch for a full explanation of the subject in question, I shall only mention here that Commander Wilmot has, for several months past, been actively engaged in endeavouring to negotiate Treaties for the suppression of the Slave Trade with the native Kings and Chiefs on this part of the coast; that the King of Zanga Tanga and the King of Cabinda have both actually signed the Treaties proposed to them; and that negotiations having the same objects in view have been for some time going on between that officer and the Chiefs of Ambriz.

The proceedings of Commander Wilmot at Cabinda and Ambriz have caused the greatest sensation here. The Council of Government has had frequent and protracted sittings of late. The schooner of war "Conde do Tojal" was despatched to Cabinda on the news of Commander Wilmot's proceedings there reaching this city, and appears to have been at that place when the deputation referred to left. Part of the crew of Her Most Faithful Majesty's brig "Corimba" recently landed at Ambriz and burned two huts, and no fewer than three Portuguese vessels of war are now cruizing on the coast between this place and Cabinda, a part of the coast which for several years has been almost entirely neglected by them.

With reference to the same subject I have further the honour to inclose a copy and translation of a long letter addressed to me on the 11th instant by the present Acting Governor-General, which you will see concludes with a protest against the acts and proceedings of the commanders and officers of British cruizers already mentioned, and also a copy of the reply which I gave to that communication on the 15th instant.

I subsequently communicated copies of the Governor-General's letter and of my reply to the senior officer of this division, in a letter of which, together with the answer I received, copies are herewith subjoined.

As the papers which I now inclose fully explain the important subject to which they refer, it appears unnecessary that I should trouble you with any observations thereon, and it therefore only remains for me, in transmitting them for your information and for that of Her Majesty's Principal Secretary of State for Foreign Affairs, to express an earnest hope that the course which I have followed on this occasion may meet with your approval.

I have, &c.
(Signed) G. BRAND.

Inclosure 7 in No. 290.

Vice-Consul Brand to Commander A. E. Wilmot.

Sir, *Loanda, March* 12, 1853.

AS bearing on the subject of my letter of the 19th ultimo I beg to inclose herewith, for your information, two copies of the official "Gazette" of this General Government, published on the 5th instant, in which you will see a curious announcement, of which I likewise send a translation of a deputation sent to this place by the King and Chiefs of Cabinda, over which territory, as you are aware, the Portuguese authorities assume a right of jurisdiction similar to that set up by them with regard to Ambriz.

The deputation seemed to have left Cabinda some time after the Treaty concluded by yourself with the King of that place was signed, and, if not suggested to these people, the idea may very probably have originated with those of the Chiefs who, still desirous of carrying on the Traffic in Slaves, opposed as far as they could the signing of that Treaty, and who may now be disposed to throw themselves upon this Government as a means likely to cause embarrassment and impede its execution.

Be this as it may, the fact of such an announcement appearing in the public "Gazette" seems to show the feelings that at present prevail among the authorities here with regard to the important proceedings so successfully carried out by you at Cabinda, and as it also bears directly on the question of Portu-

guese jurisdiction over the line of coast to the northward of the 8th degree of south latitude, I have thought it right to make it the subject of this communication.

I have, &c.
(Signed) G. BRAND.

Inclosure 8 in No. 290.

Extract from the "Boletim Official" of the Province of Angola.

(Translation.) *Loanda, March* 5, 1853.

THROUGH official communications received from the commander of the schooner of war "Conde do Tojal," it is known that the King of Cabinda, the Governor of Porto Rico, and other authorities and people of those territories over which Her Most Faithful Majesty has reserved rights, are animated by the best and most firm spirit of adhesion and submission to Her Majesty the Queen and the Portuguese authorities, which we have the satisfaction of announcing. In like manner it is announced that the Government of this province has received a deputation that arrived in a small boat from Cabinda, sent by the King and the Governor of Porto Rico, which deputation presented to his Excellency the Governor-General a letter missive, signed by them and other magnates of the country, declaring that they and the people whom they represent respect and recognize the Royal Portuguese authority only, in the same way as all their ancestors have recognized and respected it.

Inclosure 9 in No. 290.

Commander A. E. Wilmot to Vice-Consul Brand.

Sir, "*Harlequin*," *St. Paul de Loanda, March* 18, 1853.

I BEG to acknowledge the receipt of your letter of the 12th instant, as well as of a copy of the official "Boletim" of this province dated 5th of March, with a translation of the paragraph alluded to in the same, for which I have to offer you my best thanks.

I perfectly coincide with the opinion expressed by you with regard to the motives of all parties concerned in this transaction.

Whether the deputation in question originated with the Chiefs of Cabinda, or with the Portuguese Government of this province, can be of little consequence, as the signature of the King of that place to the Treaty lately accepted by him, was a voluntary act and deed upon his part; so much so, that he desired me to wait till the "mafucas" had taken their departure, as he was determined to sign the paper offered by Great Britain. Nothing that the Portuguese Government may say or do, can in any way alter the validity of this document, although they may express their jealousy and discontent at the success of our exertions.

It is my intention to forward a copy of your letter, with the "Boletim," to the Commander-in-chief for his information.

I have, &c.
(Signed) ARTHUR P. EARDLEY WILMOT.

Inclosure 10 in No. 290.

The Governor-General ad interim *of the Province of Angola to Vice-Consul Brand.*

(Translation.)

Illustrious Sir, *Palace of Government in Loanda, March* 11, 1853.

YOU being the Representative of the British nation in this city of Angola, I address myself to you on a subject of the greatest importance, and which has reference to the British and Portuguese Crowns.

I presume that you are fully acquainted with the proceedings of the cruizing forces of Great Britain at Cabinda and Ambriz, where the commanders of the vessels of which these forces are composed, have been endeavouring to impose Treaties on the people who inhabit those territories, using, in order to attain their object, all the means in their power. You, as a conspicuous British employé, have a full knowledge of the Treaties and Additional Convention which exist between Great Britain and Portugal, and therefore it is unnecessary that I should mention them. Nor can you fail to be aware of the doctrine laid down in the Constitutional Charter of the Portuguese Monarchy, the establishment of which owes so much to the efforts and influence of Great Britain.

You will not hesitate in admitting, since it is a point that cannot be disputed, that none of the Articles of the said Treaties and Additional Convention can be altered by amplifying, restraining, or changing any of their provisions, without the two Crowns previously taking measures for the same, and mutually agreeing thereto.

It does not appear either that such measures have been taken, or that any change has been made by common consent with regard to the said Treaties and Additional Convention, in which are expressly declared, and especially in the Constitutional Charter of the Portuguese Monarchy, what are the territories on the eastern as well as the western coast of Africa, over which Her Most Faithful Majesty has rights declared (direitos declarados), as well as those which she possesses, with rights reserved (direitos reservados).

This doctrine being established as incontrovertible, as it really is, its natural consequence becomes equally incontrovertible; namely, that the people resident within such territories belong to and are subjects of the same august Sovereign. Such people have neither the right nor the power of concluding Treaties with foreign Powers, since to admit this would be to sanction an act of rebellion and a usurpation against the Sovereign of whom these people are subjects or to whom they render homage; it would be an act contrary to the rights of nations, a confusion of Powers, nor would integrity be possible between such Powers.

From all that has been laid down, it must necessariiy follow, that the people of Cabinda, Molembo, and other parts of the coast of Western Africa, over which Her Most Faithful Majesty has rights either declared or reserved, guaranteed in both cases by the Treaty of the 22nd January, 1815, and the Additional Convention of the 28th of July, 1817, and the Constitutional Charter of the Portuguese Monarchy, cannot in any way sign Treaties, which Her Most Faithful Majesty alone can do as the Sovereign whom these people recognize; and so evident and simple is this doctrine, that the people of Cabinda, although without knowledge of the diplomatic usages and customs of civilized European nations, but, nevertheless, possessed of natural reason, have refused to sign the Treaties proposed to them, invoking the protection of Her Most Faithful Majesty, and addressing in this sense a message to this General Government signed by their King and other chiefs, in which they pressingly and vehemently ask that, in the character of subjects of the same august Lady, due assistance be given them, declaring that having in no degree fallen away from the sentiments of adhesion and respect which their ancestors always rendered from time immemorial to Her Most Faithful Majesty, they come to offer equal homage, or more properly to ratify the same, seeing that there never had been any failure in their devotion as faithful subjects; and in order to their giving an authentic testimony of this, they, before departing for this city, had spontaneously addressed themselves to the commandant of the schooner of war "Conde do Tojal," which was in the waters of Cabinda, for the purpose of asking from him a Portuguese flag to be hoisted on their walls.

The Decree of the 10th of December, 1836, and the Treaty of the 3rd of July, 1842, the stipulations of which relate to the complete suppression of the inhuman Traffic in Slaves, have been strictly and rigorously observed by the Portuguese cruizers. Her Most Faithful Majesty has given for this purpose the most stringent orders, and this General Government, diligently and constantly endeavouring by all the means in its power, to fulfil and carry into effect the Royal determinations, and animated by the most earnest desire for the extinction of a Traffic shameful and repugnant to humanity, gave a short time ago an irrefragable proof of the sentiments which animate it, by causing two barracoons to be burned and destroyed at Ambriz, in consequence of there being found in them some irons, boilers, and other articles indicating that they were to be used in that horrible speculation.

In the Treaties and stipulations alluded to, concluded with all due solemnity, for the suppression of the Traffic in Slaves, between Great Britain and Portugal, the duties and limited authority inherent to the commanders and officers of the "forças" employed in cruizing and in watching over the execution of these wise, philanthropic, and humane provisions, are explicitly described; but, in none of them is it pointed out, nor can it be gathered even by implication, that the officers of cruizers can be invested with a diplomatic character, in order to their entering into negotiations and concluding Treaties, and without doubt even much less so with pacific people who are the subjects of Her Most Faithful Majesty, and who neither are, nor have at any time been, at war with Great Britain.

In consideration of this, I cannot understand how the officers of British cruizers have acquired the right or authority, or whatever it may be, of imposing Treaties on people who are subjects of Her Most Faithful Majesty, and who reside within territories over which she has indisputable rights, with this additional circumstance that these acts have been practised without the previous knowledge or consent of the same august Lady, who is so closely allied with Great Britain.

It is not possible for me, therefore, to do otherwise than consider such acts as a breach of the Treaties which exist between the two nations; they, therefore, appear to me unjust, and allow me the expression even as involving a violation of the rights of Her Most Faithful Majesty: and on this account I present to you, as a British authority resident in this city, this public letter, which you will be pleased to receive as a protest against such acts, since it behoves me so to do in the discharge of my duties as the delegate of my Sovereign, charged as such with watching over the preservation of her rights.

I avail, &c.

(Signed) ANTONIO RICARDO GRACA.

Inclosure 11 in No. 290.

Vice-Consul Brand to the Governor-General ad interim *of the Province of Angola.*

Sir, *Loanda, March* 15, 1853.

I DULY received on the evening of Friday the official letter which your Excellency did me the honour to address to me on the 11th instant, the receipt of which I regret I have been unable to acknowledge sooner.

In that letter, after referring to certain proceedings of the commanders of British cruizers at Cabinda and Ambriz, in endeavouring to conclude Treaties with the people inhabiting these territories, with which proceedings your Excellency takes it for granted that I am fully acquainted, and appealing to my knowledge of the Portuguese Constitutional Charter, and the Treaties and Additional Convention between Great Britain and Portugal, which Treaties and Additional Convention you very justly observe admit of no change in any of the provisions without the mutual consent of the two Crowns, your Excellency draws the conclusion that, as no such change appears to have been made by common consent between the two Governments in their provisions, the people resident on the whole of the territories therein mentioned, both on the eastern and western coast of Africa, are subjects of the Queen of Portugal, and as such incapable of entering into Treaties with foreign Powers.

From this general induction your Excellency proceeds to apply the conclusion arrived at to the case of the people of Cabinda, Molembo, and other parts of the coast of Western Africa, mentioned or referred to in the Treaty of the 22nd January, 1815, and the Additional Convention of the 28th July, 1817, declaring that these people are incapable in any way of signing Treaties, which Her Most Faithful Majesty, as their Sovereign, alone can do; that the people of Cabinda have refused to sign the Treaties proposed to them; that they have sent a message to this General Government expressive of their unabated adhesion to Her Most Faithful Majesty, and asking, as Portuguese subjects, for protection and assistance; and, finally, that they had addressed themselves to the commandant of the schooner of war "Conde do Tojal," asking for a Portuguese flag to be hoisted on their walls.

Your Excellency then passes from the question of territory, and after alluding to the Decree of the 10th December, 1836, and the provisions of the Treaty of the 3rd July, 1842, for the complete suppression of the Traffic in Slaves, to the strict observance of these provisions by Portuguese cruizers, to the efforts of this General Government in carrying out the instructions of the Government of Her Most Faithful Majesty for the extinction of that inhuman Traffic, and to the recent destruction of two barracoons at Ambriz, which contained articles intended for Slave Trade purposes, you declare that you are unable to understand how the commanders and officers of British cruizers have become possessed of the authority necessary for entering into negotiations and signing Treaties, because nothing can be found in the provisions of the said Treaty of the 3rd July, 1842, bearing either directly or by implication on the subject.

Finally, your Excellency declares that you cannot but consider the acts and proceedings of the commanders of British cruizers alluded to otherwise than as a breach of the Treaties existing between Great Britain and Portugal, and therefore not only unjust, but even involving a violation of the rights of Her Most Faithful Majesty; and on this account you, as the delegate of your Sovereign, and as such the guardian of her rights, have in the discharge of your duty presented to me, as a resident British authority, your official letter of the 11th instant, requesting me to accept the same as a protest against the acts and proceedings in question.

In reply to this communication, your Excellency will allow me to observe, first, that my official appointment being that of British Vice-Consul in the province of Angola, and the acts and proceedings to which your letter and protest allude having all taken place beyond the limits of that province, I can only receive that protest as a medium of communication, and for the purpose of transmitting it to those who are competent to take cognizance of the same, which I will be careful to do; and, further, that as the said proceedings are those of the commanders and officers of British cruizers, who receive their orders and instructions from their Commander-in-chief, which orders and instructions are not necessarily known to me, I can only speak of such proceedings so far as I may happen to be acquainted with them, it appertaining properly to the Admiral in command of the squadron and the senior officer in charge of the division, to whom I will not fail to forward a copy of your letter, to reply to the objections which your Excellency has raised.

On these two grounds I might here close my reply to your letter, but as your Excellency has done me the honour to explain your views to me very clearly, and at considerable length, I deem it more respectful to add a few observations on some of the matters to which that letter alludes. These observations, however, I make entirely on my own responsibility, as the competent authorities to whom I will transmit that letter, on receiving it, will know what is necessary to be done, and may either disavow or approve of what I am now about to say.

With this remark I proceed to observe that your Excellency's letter regards certain acts and proceedings of the commanders and officers of British cruizers in endeavouring to induce the native Kings and Chiefs of Cabinda and Ambriz to sign Treaties—against which acts and proceedings your Excellency protests—and, further, that your reasons of protest are based on the following grounds: 1st, because you consider the people with whom these proceedings have been carried on to be Portuguese subjects; and, 2nd, because you are of opinion that the commanders of British cruizers are, by the provisions of the Treaty of the 3rd of July, 1842, incompetent to undertake these negotiations.

Such appears to me to be a correct analysis of your Excellency's letter, and I trust you will consider that I have stated the case fairly.

As regards the first ground of protest, you base your reasoning on the Portuguese Constitutional Charter and the provisions of the Treaty of the 22nd January, 1815, and the Additional Convention of the 28th July, 1817, supporting the same by a reference to the people of Cabinda, who you declare have refused to sign the Treaty proposed to them, have sent a message to this General Government, and have applied to the commander of the schooner of war "Conde do Tojal" to be supplied with a Portuguese flag.

With respect to the argument arising out of Treaty stipulations, it is only necessary for me to observe, that by the first section of Article II of the Additional Convention to the Treaty of the 22nd January, 1815, signed at

London on the 28th July, 1817, the right of sovereignty on the part of Portugal over that part of the west coast of Africa situated between the 8th and the 18th degree of south latitude, seems to have been acknowledged by Great Britain; and that in the second section of the same Article it is further stated that His Most Faithful Majesty declared that he retained his rights over the territories of Molembo and Cabinda from 5° 12′ to 8° south latitude.

It would thus appear that the full right of sovereignty on the part of Portugal was acknowledged by Great Britain over the coast from the 8th to the 18th degree of south latitude, but it does not appear that the same right was acknowledged over that part of the coast lying between 5° 12′ and 8° south latitude, and within which both Ambriz and Cabinda are situated.

These latitudes, therefore, being clearly not within the limits of the Portuguese territory acknowledged by Great Britain, it follows that British officers cannot in their intercourse with the natives of these places recognize them as Portuguese subjects; and as no other civilized State pretends to have any right to exercise jurisdiction over the people, they must be regarded and treated as independent African tribes in the unrestrained enjoyment of all the powers and privileges inherent to such a state of independence.

The collateral arguments used by your Excellency are not in my opinion very conclusive; for, first, as to the people of Cabinda refusing, as you state they did, to sign a Treaty proposed to them, this appears to be fully met by the fact that, on the 11th ultimo, a Treaty for the complete suppression of the Slave Trade, as well as for other purposes of civilization and commerce, was actually concluded between the King of Cabinda and Commander Wilmot, of Her Britannic Majesty's sloop "Harlequin," of the conclusion of which Treaty, I believe, due notice was given to this General Government.

The message which your Excellency refers to also admits of a very easy explanation. It is well known that Cabinda has been one of the most notorious haunts of the Slave Trade on this coast; that most of the native chiefs, including Francisco Franque, who styles himself Governor of Porto Rico, have been deeply interested in it; and that, consequently, the chiefs and their adherents, disappointed in finding their prospects of again carrying on the Traffic likely to be impeded by the act of their King, would readily take any step calculated to create embarrassment. The idea of sending a message to this General Government may thus probably have originated with the disappointed Slave Trade party, as a measure calculated to obstruct the execution of the Treaty, the signing of which they opposed as far as they could, or it may have been suggested to them by others with the same view.

It may not be irrelevant to mention here that, in 1842, the native Chiefs of Cabinda, including Francisco Franque, and the late Principe Jack, as also the Chiefs of Ambriz, negotiated with Captain Foote, of Her Britannic Majesty's ship "Madagascar," and gave to him full authority to destroy the Slave Trade factories situated at both places. These negotiations were conducted, both at Cabinda and Ambriz, by the Chiefs of these places, as independent Princes, who made no reference whatever to their either acknowledging, or ever having acknowledged, the sovereignty of Portugal; and the same evidence of independence appears in the more recent transactions between Commander Wilmot and the King of Cabinda.

The application to the Commander of the "Conde do Tojal" is the last collateral argument used by your Excellency, on which I will only observe that Commander Wilmot informed me that on the occasion of signing the Treaty with the King of Cabinda on the 11th ultimo, an application was made to him for a distinguishing flag to be used by the Cabinda people as their independent national colours.

The whole of the reasoning bearing on your Excellency's first ground of protest being thus based on the principle that Cabinda and Ambriz are Portuguese territory, and their natives Portuguese subjects, which fundamental principle does not ever appear to have been recognized by Great Britain, it follows that the conclusions drawn therefrom must likewise be set aside.

With regard to the second ground of protest, I need say very little. It is true that the provisions of the Treaty of the 3rd July, 1842, prescribe regulations for the guidance of the commanders of cruizers in carrying that Treaty into execution; but it is also true that these provisions do in no way prohibit such commanders from receiving other important commissions.

Your Excellency, as a naval officer of high standing, must be aware that the commanders of all public ships-of-war have often very important and responsible duties to perform which are inherent to their office; but their receiving additional instructions to carry out the provisions of the Treaty of the 3rd July, 1842, neither exonerates these officers from the discharge of their primary duties, nor renders them incapable of undertaking others when duly authorized by their Government for that purpose.

Commanders of British cruizers intended to be employed in carrying the Treaty of the 3rd July, 1842, into execution, receive special instructions authorizing them to do so, as prescribed by Article II of that Treaty, and Article I of Annex (A) to the same, and such commanders as are to be further employed in negotiating Treaties with the native Chiefs of Africa receive distinct and additional instructions for that special service. It is not, therefore, simply in their character of commanders of cruizers that they enter upon such negotiations; but as officers duly authorized and qualified by their Government for that purpose. The numerous Treaties which have been concluded with the native Chiefs on the north-western coast of Africa, as well as those more recently concluded at Zanga Tanga and Cabinda, have all been negotiated by officers duly authorized and acting under special instructions; and as there is nothing in their proceedings either contrary to, or inconsistent with, the provisions of the Treaty of the 3rd of July, 1842, it appears to me that your Excellency's objections to them founded on the terms of that Treaty cannot be upheld.

There appears, in fact, to be in the terms of that Treaty as little to prevent the Commanders of British cruizers receiving special instructions to negotiate Treaties with the native Chiefs of Africa as there is to prevent the commander of the Portuguese cruizer "Conde do Tojal" proceeding to Cabinda to enter into political correspondence with the native Chiefs of that place, and supply them with a Portuguese national flag.

On the contrary, there seems to be a special propriety in employing commanders of cruizers in negotiating such Treaties, because these Treaties and that of the 3rd July, 1842, have the same great objects in view—the extinction of the Slave Trade and the civilization of Africa.

From the numerous Treaties already concluded with the Kings and Chiefs of Africa the greatest benefit may be expected in ameliorating the condition of the African race, and disseminating the blessings of civilization, and it appears to me most desirable that these benefits should, without loss of time, be extended to this part of the coast.

The whole line of coast to the northward of the Portuguese possessions, as far as Cabinda, and even beyond that place, formed one of the greatest outlets of the Brazilian Slave Trade.

At almost every available spot slaving factories were established, and there congregated the outcasts of all nations. Among these nests of infamy Cabinda and Ambriz were eminently notorious, and at the latter place, so late as the year 1849, there were upwards of twenty factories belonging to parties solely engaged in Slave Traffic. Many of these factories belonged to or were directed by individuals who figured in this city as persons of importance, and so close and intimate was the connection between parties resident here and others resident at Ambriz that that place might with justice have been termed the slave shipping port of Loanda.

Your Excellency refers to the efforts of this General Government in putting down the Traffic in Slaves.

I, during a residence of eight years in this city, have had ample opportunities of knowing and witnessing, under various circumstances and different administrations, the proceedings of the General Government and the operations of the Portuguese cruizers, and to the full extent of their respective efforts I will always bear a ready and willing testimony; but, whilst I do this, I feel it my duty to add, particularly as during my residence here your Excellency made but one short visit to this colony before your arrival here in 1852, that for several years previous to 1850 the Slave Trade was most vigorously carried on along the whole line of coast referred to. As a proof of this I may mention, that when I visited Ambriz in the end of the year 1846, there were but four or five Slave Trade factories at the point, whilst in 1849 there were upwards of twenty.

The native Chiefs of Cabinda have experienced, perhaps, fewer hindrances in their Slave Trade speculations from this Government than from any having

cruizers on this coast. By this statement I mean, that that locality was less frequently visited by Portuguese cruizers during the years alluded to, than by those of other nations. Indeed, subsequently to 1846, Portuguese cruizers but seldom appeared on the coast northward of this city, and even on such occasions rarely extended their cruizes beyond Ambriz or Ambrizette.

As to operations on shore at Cabinda for the suppression of the Slave Trade, I am not aware that any were undertaken by this General Government, or by Portuguese cruizers, either during the period in question or at any other time, notwithstanding the notoriety of the place as a haunt of Slave Traffic; whilst at Ambriz, only on one occasion, viz., in 1848, have the slave-dealers suffered any molestation by the operations of Portuguese cruizers on shore previous to those recently undertaken by order of your Excellency and referred to in your letter.

The greatest blow ever inflicted on the slave-dealers on this coast by proceedings on shore, arose out of those conducted under the orders of Captain Foote, of Her Britannic Majesty's ship "Madagascar," who in 1842, under engagements with the native Chiefs, as I have already stated, burned the Slave Trade barracoons both at Cabinda and Ambriz.

This blow was so severely felt, that the slave-dealers at Ambriz never afterwards kept the slaves intended for embarkation in any numbers at Ambriz point. Their depôts of slaves, since that time, have been situated at the native town of Maybanga, about four or five miles inland from Ambriz point, where such depôts, I believe, still exist.

With regard to the recent operations of Her Most Faithful Majesty's brig "Corimba," in burning two barracoons at Ambriz, whilst I am unable to recognize in these operations any evidence of right on the part of Portugal to exercise sovereignty over that locality, yet I would fondly hail them, undertaken as they were so soon after your accession to this Government, as an indication of your anxiety to put down the Slave Trade, and, taken in connection with your own high personal character and the stringent orders which appear to have been issued by you to the subordinate authorities on the 11th instant, I look upon them as an omen for good, and an evidence that slave-dealers will receive from you neither personal consideration nor regard, and that their nefarious speculations will be checked by every means in your power.

It appears to me, however, that no measures are better calculated to aid your Excellency in carrying out your good intentions, than those against which you have sent to me a protest.

The conclusion of Treaties with the native Chiefs on this part of the coast is a means admirably calculated, not only for bringing about the complete extinction of the Traffic in Slaves, but also for remedying the evils which it has already so deeply inflicted, and the present time seems peculiarly appropriate for undertaking such measures, when, after a temporary cessation, that Traffic appears to be partially revived, and when every effort ought consequently to be made to arrest its progress.

From what I have now had the honour to state to your Excellency, it seems to follow, that the proceedings of the commanders of British cruizers, against which you protest, have not been carried on with people recognized by Great Britain as Portuguese subjects; that these proceedings have been undertaken by officers duly authorized and furnished with special instructions for that purpose; that in acting under these instructions, nothing has been done either contrary to or inconsistent with the provisions of the Treaty of the 3rd of July, 1842; that these proceedings have for their object the suppression of the Traffic in Slaves, and the extension of the means of civilization; and finally, that the present time is peculiarly appropriate for carrying such proceedings on, as a means of checking the progress of that Traffic, which seems partially revived in this part of the world.

It does not therefore appear to me that there is anything in these proceedings that can be considered as a breach of the Treaties existing between Great Britain and Portugal, or that they can be viewed as unjust, or in any way involving a violation of the rights of Her Most Faithful Majesty, and that, so far from their presenting valid reasons for protest on the part of your Excellency, they, on the contrary, having for their object the suppression of the abominable Traffic in Slaves—a subject in which both the British and Portuguese Governments take so deep an interest—are of such a nature as to merit and receive, as

I hope they may yet do, the hearty cooperation of your Excellency as the enlightened head of this General Government.

These observations I beg very respectfully to submit to your Excellency's consideration as bearing on the leading heads of your letter of the 11th instant, and as they have been made with every feeling of respect towards your Excellency, I am confident they will be received by you in the same spirit as that which has guided me in writing them.

I have made them, however, solely on my own responsibility, and they in no way compromise those to whom it appertains to take cognizance of the protest sent me, and who, as I have already stated, may either disavow or approve of what I have said.

It only remains for me to add, that I will take measures for forwarding copies of your Excellency's letter to Her Majesty's Principal Secretary of State for Foreign Affairs, as well as to the Admiral Commander-in-chief of the British naval forces on this coast, by the earliest opportunities that may present themselves.

I have, &c.
(Signed) G. BRAND.

Inclosure 12 in No. 290.

Vice-Consul Brand to Commander A. E. Wilmot.

Sir, *Loanda, March* 21, 1853.

I HAVE the honour to inclose herewith, for your information and for that of the Commander-in-chief, a translation of a letter addressed to me on the 11th instant by the Acting Governor-General of this province, relative to your recent proceedings at Cabinda and Ambriz, against which proceeding his Excellency presents a protest.

I likewise inclose a copy of the reply which I gave to this communication n the 15th instant.

In my reply you will see that I have declined to receive the protest in question, except for the purpose of transmitting it to those properly competent to take cognizance of the same; and although, on the two grounds stated by me after the recapitulation of the contents of the Governor-General's letter, I might have there closed my answer, I have nevertheless, out of deference to the lengthened exposition of his Excellency's views, made some observations on the principal matters referred to in that communication.

This, however, I have done solely on my own responsibility; no one is compromised by what I have said, and the various points in question remain open for any other answer which it may be thought necessary to give to them.

I have confined my observations to the leading heads of his Excellency's letter, without allowing myself to be led away, by collateral matters, to the discussion of which some parts of that letter hold out no small temptation.

As you are likely to be in further communication with this Government on the subject of this correspondence, I take the liberty of referring to one or two points which, had they been taken up by me, might probably have rendered my reply more complete than it is.

Among these I may notice, first, that part of the Governor-General's letter where he speaks of a breach of the Treaties existing between Great Britain and Portugal. On this head his Excellency might have had the serious nature of the charge pressed upon him by a reference to the well-known good faith of Great Britain in all Treaty engagements, and in none more so than in those concluded for the suppression of the Traffic in Slaves.

The reference made by his Excellency to the efforts of this General Government and those of the Portuguese cruizers for the extinction of that Traffic, could also have been met by a similar reference to the noble exertions of Great Britain in the same cause.

Allusion is made to the destruction of two barracoons at Ambriz as an evidence of the spirit which animates the Government of Angola in the suppression of the Slave Trade.

Whilst no cooperation on the part of the Portuguese ought to be rejected, you are in a position which enables you to estimate the proceedings alluded to at their proper value.

Even supposing these proceedings to have had no ulterior view as bearing on the assumed right of Portuguese jurisdiction in that locality, I believe their direct effects on the suppression of the Traffic will be, like those which took place in 1848, altogether insignificant, although they may possibly be useful in inducing the native Chiefs of that territory more readily to accept the Treaty proposed to them.

It is curious to find his Excellency speaking of the efforts of this General Government in putting down the Slave Trade, as if these efforts had been continuous and unceasing, whilst it is notorious that the whole line of coast over which a claim of jurisdiction is set up by him, and where almost the whole of the Portuguese naval forces are now concentrated, with the view, possibly, of watching, if not impeding, the important negotiations in which you have been and still are engaged, was for several years, when the Slave Trade was most vigorous, almost entirely neglected by Portuguese cruizers.

The "faithful subjects" at Cabinda appear never to have been interrupted in their Slave Trade speculations by the Portuguese, but have been allowed to carry on these speculations without molestation from this Government or its cruizers in like manner as had always been done "by their ancestors from time immemorial;" whilst, at Ambriz, the only operations undertaken by Portuguese cruizers, on shore, during my residence here, previous to those referred to by his Excellency, were those conducted by the commander of Her Most Faithful Majesty's brig "Mondego," who, in 1848, landed a force, burned one hut, carried away 10 slaves, and subsequently destroyed two or three sheds at Mazula.

These operations were undertaken by order of the Commandant of the Portuguese naval station, and, as was understood, contrary the wishes of the General Government.

The property destroyed belonged to the slaving-house of Amaral and Bastos of Rio de Janeiro, of which firm Francisco Antonio Flores, whose name is not unknown to you, was then agent at this place.

To show the feeling which prevailed among some of the authorities here with regard to these transactions, I may mention that Flores' sub-agent at Ambriz drew up a formal protest against them, and claimed damages for the destruction of property and other losses occasioned by proceedings carried on "on territory where the Portuguese nation exercises no sovereignty or jurisdiction of any kind whatever," which protest was ratified before the highest judicial authority of this colony; and, as the Commandant informed me, an attempt was made to intimate the same to him judicially on board the ship bearing his broad pendant.

These proceedings were much spoken of at the time, but they had no permanent influence in checking the speculations of the traffickers.

To the respective exertions of this Government and of the Portuguese cruizers, as far as they go, I will always be ready to bear my testimony; but I have resided in this place sufficiently long to be able to form a correct estimate of what they have done, and also of what they have left undone, and I certainly am not disposed to accept the occasional destruction of a few huts as "an irrefragable proof" of diligent, constant, and unwearied endeavours for the suppression of the Slave Trade.

There is one other point which I think it necessary to mention.

His Excellency, you will observe, in his letter more than once speaks of the commanders of British cruizers endeavouring to impose Treaties on the people of Cabinda and Ambriz; and he also refers to the people of Cabinda having refused to sign the Treaty proposed to them, and having earnestly asked protection and assistance from this Government. Such language would seem to imply that forcible measures either had been, or were to be resorted to, in dealing with the native Chiefs of these places—a charge which, I think, ought to be repelled. In reading over my reply I find I have not done so, which, however, is of the less consequence, as no one is better able to reply to this uncalled-for insinuation than yourself, by whom the proceedings at both places were personally conducted.

It only remains for me, in transmitting to you these papers, to express

my regret that I have been unable to do so before this time, but you are aware of my avocations, and the present state of my health, which alone have caused the delay that has occurred in copying them and placing them in your hands.

I have, &c.
(Signed) G. BRAND.

Inclosure 13 in No. 290.

Commander A. E. Wilmot to Vice-Consul Brand.

Sir, "*Harlequin*," *St. Paul de Loanda, March* 22, 1853.

I HAVE the honour to acknowledge the receipt of your letter of the 21st instant, with a translation of a letter addressed to you by the Acting Governor-General of this province, as also a copy of your reply thereto, all of which will be forwarded to the Commander-in-chief by the first opportunity.

As my own opinions so entirely correspond with those expressed by you in your reply to his Excellency, it will be needless for me to take any further notice of the subject of this communication until the arrival of the British Commander-in-chief.

It would be presumption on my part to offer any remarks upon the document you have transmitted to the Governor-General, but I must be permitted thus to record my humble tribute of admiration at the very pointed arguments you have used, though still unexhausted, and which leave the Portuguese Government at Lisbon, as well as the authorities of this country, without any tangible ground to base their claims upon.

I beg to return you my most sincere thanks for these communications, as well as for the great trouble and interest you have taken in these transactions, which cannot fail to be appreciated where their real value will be best known.

I have, &c.
(Signed) ARTHUR P. EARDLEY WILMOT.

No. 291.

Sir R. Pakenham to the Earl of Clarendon.—(Received June 13.)

(Extract.) *Lisbon, June* 7, 1853.

I HAVE hastened to fulfil the instructions contained in your Lordship's despatch of the 17th of May, by placing in the hands of the Minister for Foreign Affairs, copies of the papers inclosed with that despatch, relative to the case of the Spanish brig "*Gallina*," captured by Her Majesty's ship "Waterwitch," on 16th December last, as being engaged in the Slave Trade; part of whose crew was, with the consent of the Portuguese Government, landed at Quicombo, and was ultimately sent to Lisbon, together with their captain, by the Governor-General of Angola, to be placed at the disposal of the Minister of Marine and Ultramar.

I have also, as directed by your Lordship, called upon the Portuguese Government to take effectual measures for the prosecution and punishment of these offenders.

No. 292.

The Earl of Clarendon to Sir R. Pakenham.

Sir, *Foreign Office, June* 16, 1853.

I HAVE received your despatch of the 28th ultimo, stating the circumstances which had come to your knowledge respecting a Jewish merchant having purchased from the Portuguese Marine Department a vessel supposed to be the "*Carvalho*," which was condemned by the Prize Court at Loanda in 1847, for having been engaged in the Slave Trade.

I have to acquaint you that Her Majesty's Government entirely approve the representation which you have addressed to the Portuguese Minister for Foreign Affairs upon this matter.

I am, &c.
(Signed) CLARENDON.

No. 293.

The Earl of Clarendon to Sir R. Pakenham.

Sir, *Foreign Office, June* 20, 1853.

I TRANSMIT to you, herewith, an extract from a despatch* which I have received from Her Majesty's Commissioners in the British and Portuguese Mixed Commission at the Cape of Good Hope, stating that an extensive trade in slaves is carried on by the Portuguese settlements, both on the east and western coasts of Africa, with the tribes of the interior; and I have to desire that you will call the attention of the Portuguese Government to the circumstances stated in the inclosed extract.

I am, &c.
(Signed) CLARENDON.

No. 294.

The Earl of Clarendon to Sir R. Pakenham.

Sir, *Foreign Office, June* 21, 1853.

WITH reference to my despatch of the 17th ultimo, inclosing copies of despatches from Her Majesty's Commissioners in the Mixed British and Portuguese Commission at Loanda, on the subject of the Spanish brig "*Gallina*," captured off Quicombo, in December last, by Captain Gardner, of Her Majesty's ship "Waterwitch," for being engaged in the Slave Trade; I transmit to you herewith, for your information, a copy of a further despatch† from Her Majesty's Commissioners on the same subject, and reporting that the Portuguese Commandants at Novo Redondo and Quicombo had been dismissed from their posts by the Acting Governor-General of Angola.

I am, &c.
(Signed) CLARENDON.

No. 295.

Sir R. Pakenham to the Earl of Clarendon.—(*Received June* 24.)

My Lord, *Lisbon, June* 18, 1853.

I BEG leave to transmit, for your Lordship's perusal, the inclosed translation from a newspaper, the "Revolução de Setembro," which generally supports the views of the present Government, containing observations relative to the late transactions at Ambriz, which formed the subject of Mr. Vice-Consul Brand's despatches, which I had the honour to forward with my despatch of 28th May.

I took occasion to ask the Viscount d'Athoguia, a few days ago, whether any information had been received by the Portuguese Government relative to these occurrences; and he answered me pretty nearly in the same language as that made use of in the "Revolução" newspaper.

He said, that this Government would of course remonstrate against any attempt which might be made to dispute or invalidate the rights of the Crown of Portugal over the territory in question; but he assured me, at the same time, that it was not in contemplation at the present moment to take any active measures for the establishment of those rights.

He seems to think that it had always been intended by the Treaty of 1817, to consider Ambriz as included within the limits of Portuguese sovereignty, and

* See Class A, No. 46. † See Class A, No. 61.

that the trifling error which was afterwards discovered in the geographical delineation adopted in that Treaty ought not to be held as altering or otherwise affecting the understanding previously existing upon this subject between the two Governments.

I have, &c.
(Signed) R. PAKENHAM.

Inclosure in No. 295.

Extract from the "Revolução de Setembro."

(Translation.)

SOME of the journals of this capital have published, in a manner which clearly shows a want of knowledge of facts, various articles upon the attempts which have lately taken place on the western coast of Africa by the English cruizers, against some of the Chiefs of the territory comprehended within the limits of that coast, to which Portugal has a reserved right. We thought it our duty, therefore, to furnish to the public the true account of these attempts, which we have obtained through respectable persons in the province of Angola.

Since the end of last year, if not before that, some commanders of the English cruizers on the west coast of Africa have endeavoured to enter into Treaties with the Chiefs of Ambriz, Cabində, and of other places on that coast, to the north of Loanda; places to which the Portuguese Crown has a right, recognized by Great Britain in the Convention entered into by the two Crowns on the 28th July, 1817, in which is found the following stipulation:

"Art. III. The territories in which, according to the Treaty of 22nd January, 1815, the Traffic of Slaves will be permitted to the subjects of Her Most Faithful Majesty, are:

"1. The territories possessed by the Crown of Portugal on the coasts of Africa, south of the equator, namely: on the east coast of Africa, the territory comprehended between Cape Delgado and the Bay of Lourenço Marques; and on the west coast, all the territory comprehended between 8° and 18° south latitude.

"2. The territories on the coast of Africa, south of the equator, over which Her Most Faithful Majesty declared that she reserved her right, namely: the territories of Molembo and Cabinda, on the west coast of Africa, from 5° 12′ to 8° of north latitude."

It is needless then, to state here, that such proceedings on the part of the said commanders are a manifest offence upon international right, and against the harmony which reigns between two friendly and allied nations.

These attempts, repeated with great pertinacity by the said cruizers, have been without result, owing to the resistance shown by the above-mentioned Chiefs, who have always said, that being subject to the Queen of Portugal, they could not enter into any Treaty.

Recently, however, the commander of an English war-steamer having endeavoured to obtain the signature of the Vice-King of Cabinda to a Treaty for the abolition of the Slave Trade, and for establishing there stores for provisions and ammunition; and not having succeeded in obtaining from this Chief, or from the other neighbouring ones, who were convoked to a meeting, the signature of any such Treaty, as they refused to sign it, notwithstanding the offers and threats which were employed, that commander, after the said meeting was dissolved, considered that he was justified in making use of any means for obtaining the signature of Mambuco, the Vice-King of Cabinda; and therefore having succeeded in intoxicating the said Chief, which is not at any time a difficult matter, he brought him to give up his son to be taken to England, for the purpose of being taught to read and write; and straightway presenting to him a paper, which he stated to be the certificate of the delivery of his son, he caused him to affix a cross to it, as he could neither read or write; and immediately caused a salute to be fired, declaring to the other Chiefs that Mambuco had signed the Treaty.

Such conduct, which could never be expected from the officers of a powerful and enlightened nation, is beyond comment; inasmuch as a cross is no valid signature on such documents if unaccompanied by other formalities; nor was it in the power of Mambuco, even taking him to be independent of Portugal, to sign such Treaty, as he is a Chief subordinate to the King of Cabinda; and the concurrence of the other Chiefs was wanting, and without this, according to their laws (customs), the King cannot adopt any state measure.

The King of Cabinda, the Governor of Porto Rico, a village on the right bank, and near the mouth of the great River Zaire or Congo, and other Chiefs, including the Vice-King Mambuco, immediately protested against this abuse, and addressed a message to the Governor-General of Angola giving him an account of what had occurred, and asking him for help to enable them to resist the violence with which they were threatened, most solemnly declaring that they only recognized the sovereignty of Portugal, as may be seen by the "Boletim" No. 388 of the Governor-General of Angola, dated 5th of March, 1853, which says:

"From reports of the commander of the schooner of war 'Conde do Tojal,' it is known that the King of Cabinda, the Governor of Porto Rico, and other authorities and people of those territories over which Her Most Faithful Majesty holds reserved rights, are inspired with the best and steadiest spirit of adhesion and submission to Her Majesty the Queen and to the Portuguese authorities; this we have the satisfaction of announcing.

"It is equally announced that the Government of this province received a deputation, which arrived in a small boat from Cabinda, and was sent by the King and the Governor of Porto Rico to present to his Excellency the Governor a missive which they, together with other magnates of the country, had signed, declaring that they, and the people which they represent, only respect and recognize the Royal authority of Portugal, as all their forefathers have recognized and respected before them."

The Governor-General of this province, as we are assured, took such measures as were within his power. He addressed official communications to the commanders of the English vessels, and sent vessels of war to Ambriz and to Cabinda, protesting against any violence that might be used against such Chiefs as were Portuguese subjects. These, however, had already hoisted the Portuguese flag at their residences, and had declared themselves to be subjects of the Queen of Portugal, still demanding of the Governor-General an armed force to protect them.

This is the truth. These are the serious occurrences, very serious without doubt, to which we suppose some short articles in several of the journals which are published in Lisbon have reference, as we said above.

It does not appear to us to be proper or just to censure the present Government for these occurrences; the fault, which certainly exists, belongs to all, or nearly all modern and ancient administrations, with very few exceptions: they have not looked to our transmarine provinces with the interest to which they are entitled; censure, however, or rather accusation, will fall to their share if they now fail to give to this grave affair that attention which it demands owing to the circumstances attending it.

In the same manner we do not judge it convenient or just to censure the English Government, as we do not believe that they could have instructed their officers to attack the rights of a friendly nation and one always allied. We consider then that such proceedings can never be approved by the British Cabinet, which is now presided over by Lord Aberdeen, who, in 1845, did not hesitate to repeat the recognition of the rights of the Crown of Portugal to the territories in question.

Our right to those territories, which are constantly mentioned in the State Constitutions as forming part of the Monarchy (Article XX of the Constitution of 1822, Article II of the Constitution of 1838, Article II, § 2. of the Constitutional Charter) is guaranteed in the said Convention of 28th July, 1817; it is unquestionable, as the Portuguese nation was the first to discover them, and to erect on them monuments which attest to the world their priority in such discoveries; it has been recognized by the commanders of the British naval forces on the west coast of Africa, who, on various occasions, have demanded of our cruizers the burning of barracoons constructed in those localities to serve for the inhuman Traffic of Slaves; it has always been reserved by the repeated acts

of sovereignty which we have exercised there, and did lately exercise in the time of the Governor-General of Angola, Vice-Admiral Noronha, who, by virtue of orders and instructions from the Government, caused tributes and taxes to be collected in Ambriz as well as in Cabinda, which were paid effectively and without demur; and this is now our right, more than ever sanctified by the spontaneous declaration of the Kings and Chiefs of these same territories.

No. 296.

The Earl of Clarendon to Sir R. Pakenham.

Sir, *Foreign Office, June 26, 1853.*

WITH reference to Viscount Palmerston's despatch to Sir Hamilton Seymour of the 14th of April, 1851, and to other correspondence on the subject of the footing on which official intercourse should be carried on between Her Majesty's naval and civil functionaries and the Governor-General of Angola, I transmit to you herewith, for your information, copies of two further despatches* which have been received from Her Majesty's Commissioners at Loanda, bearing upon the same subject; and I have to instruct you to inquire, and to report to me, whether any and what steps were taken by the Portuguese Government upon the note which was addressed by Sir Hamilton Seymour to Count Tojal on the 23rd of April, 1851, upon this question.

I am, &c.
(Signed) CLARENDON.

No. 297.

The Earl of Clarendon to Sir R. Pakenham.

Sir, *Foreign Office, June 27, 1853.*

WITH reference to Viscount Palmerston's despatch to you of the 21st of July, 1851, and to other correspondence respecting the condition of the negroes who have been emancipated by the Mixed Commission at Loanda, I now transmit to you a copy of a despatch† which I have received from Her Majesty's Commissioner at Loanda, inclosing the report of the Curator of the liberated Africans respecting the condition of the negroes under his charge for the quarter ending the 31st of March, 1853.

I have to instruct you to communicate these papers to the Portuguese Government, and to say that, as it appears that there is some difficulty in treating these negroes, in the slave-holding colony of Angola, in strict conformity with the stipulations of Annex C to the Treaty of 1842, Her Majesty's Government are willing, at their own expense, to relieve the Colonial Government of Angola from the charge of those persons, and to remove them to some British colony.

I am, &c.
(Signed) CLARENDON.

No. 298.

Sir R. Pakenham to the Earl of Clarendon.—(Received July 4.)

My Lord, *Lisbon, June 28, 1853.*

I HAVE had the honour to receive your Lordship's despatch of the 16th instant, from which I am glad to find that your Lordship is pleased to approve of the note addressed by me to the Portuguese Government on the 23rd of May, relative to the case of the brig "*Carvalho.*"

Finding myself thus justified in the view which I originally took of this affair, I have thought it right to follow up my first remonstrance by calling upon the Portuguese Government, supposing that the sale of the vessel cannot now

* See Class A, presented 1853, No. 57; and Class A of this year, No. 65.
† See Class A, No. 97.

be cancelled, to make such arrangements with regard to her as shall render it impossible for her present owner to dispose of her with the probability of her being again employed in her former occupation as a slaver.

I have, &c.
(Signed) R. PAKENHAM.

No. 299.

Sir R. Pakenham to the Earl of Clarendon.—(*Received July* 4.)

My Lord, *Lisbon, June* 28, 1853.

A PETITION has been presented to the Queen of Portugal on behalf of certain speculators of this city, who are said to be persons of respectability, praying for a grant of land in the Mozambique territory, on which it is proposed to found a Settlement for the purposes of colonization and commerce.

The Government appear to be favourably disposed towards this undertaking, and it is generally believed that the object of the petition will be granted.

Her Majesty's Government would, no doubt, also view with favour and interest an enterprise of this kind, supposing its professed object—that of promoting the cause of civilization and improvement in that remote part of Her Most Faithful Majesty's dominions—to be honestly carried out.

But, considering the temptations offered by the Slave Trade, and the effect of long-established habit in inclining Portuguese settlers in Africa to embark in that pursuit in preference to legitimate industry and commerce, it occurred to me as by no means unlikely that the proposed establishment in the Mozambique territory might, by a change of hands, or other deranging circumstances not easily controlled at such a distance, be diverted from its original purpose, and become a means of favouring and protecting Slave Trade operations.

I therefore thought it advisable to address a note to the Viscount d'Athoguia, containing a few words of caution upon this point, and suggesting that, in the conditions of the proposed grant, care should be taken to guard against the possibility of such abuses; adding, that Her Majesty's Government would also be glad to hear that there was nothing in the proposed scheme likely to lead to an increase in the number of slaves already existing in the Portuguese colonial possessions, but rather that it would be made to depend for its success on the introduction of a system of free labour, and the encouragement of habits of industry among the native population.

I beg leave to inclose a copy of this note, and a translation of the Viscount d'Athoguia's answer, which your Lordship will perceive speaks in the highest terms of the respectability and philanthropical sentiments of the promoters of the speculation, and intimates, as a further security against abuses such as I had apprehended, that the new colony is to enjoy the patronage of the "Society of Friends" in England, a deputation from which body had the honour of being received by Her Most Faithful Majesty in the course of last year, and of presenting to Her Majesty an address on the subject of slavery and the Slave Trade.

I have, &c.
(Signed) R. PAKENHAM.

Inclosure 1 in No. 299.

Sir R. Pakenham to Viscount d'Athoguia.

Sir, *Lisbon, June* 1, 1853.

I AM informed that application has been made to Her Most Faithful Majesty's Government, by certain enterprising individuals of this capital, for a grant of land for the purposes of colonization in the rich and fertile territory of Mozambique, and that Her Most Faithful Majesty's Government are disposed to entertain favourably such application.

Your Excellency, who well knows the interest taken by my Government in all that relates to the improvement and civilization of the African race, will not

doubt how heartily Her Majesty's Government will wish success to a project of this kind, which may tend to add materially to the wealth and prosperity of that important portion of the Portuguese colonial possessions, and to improve the habits and condition of the native population.

But experience tells us how often the best-devised schemes for the improvement of these remote parts of the world have been defeated by the demoralizing influence of the Slave Trade; for which reason I am sure that your Excellency will be prepared to hear of the anxiety expressed on the part of Her Majesty's Government, lest the project to which I allude, however honestly undertaken, might, in progress of time, by a change of persons, degenerate into a cover for Slave Trade operations, and thus prove a curse instead of a blessing to that part of Her Most Faithful Majesty's dominions.

Your Excellency will therefore pardon me for suggesting the propriety of taking every possible precaution, in determining the conditions of the proposed grant, to guard against the possibility of any such abuse.

Her Majesty's Government, whose zeal for the abolition of slavery is well known to your Excellency, would also rejoice to hear that there is nothing in the proposed project likely to have the effect of increasing the number of human beings already existing in a state of slavery in the colonial possessions of the Portuguese, but rather that it contemplated the abandonment of that hateful state of things, depending for its prosperity on the introduction of a system of free labour, and the encouragement of habits of domestic industry among the inhabitants.

I take, &c.
(Signed) R. PAKENHAM.

Inclosure 2 in No. 299.

Viscount d'Athoguia to Sir R. Pakenham.

(Translation.)

Sir, *Palace, June* 17, 1853.

I HAVE the honour to acknowledge the receipt of the note which you were pleased to address to me under date of the 1st instant, stating that you had been informed that Her Majesty's Government had given a favourable reception to the proposal of certain individuals resident in this capital, relating to the concession of a piece of land at Mozambique for establishing a colony. In the same note you express the fears of Her Britannic Majesty's Government lest the project alluded to should in the course of time be converted into a slave-trading speculation, therefore suggesting the expediency of providing against any abuse that may result from such a concession. You add that it would be satisfactory to your Government to be assured that the said project does not tend towards increasing the number of slaves already to be found in the Portuguese colonies, but towards bettering the present state of things there.

With reference then to what is contained in your above-mentioned note, it is my duty to state to you that Her Majesty's Government did receive the proposal in question, and they feel so certain of the respectability and philanthropy of the proposers, that they had no hesitation in taking it into consideration; the more so as, in order to carry out their plan of colonization, they expect to receive the powerful aid of the Society of Friends of England and Ireland, which has always shown itself so anxious for the total abolition of slavery, and whose emissaries were honoured with a private audience by Her Majesty the Queen in April of last year, from which you will see how unfounded are the fears of Her Britannic Majesty's Government upon this head.

I avail, &c.
(Signed) VISCOUNT D'ATHOGUIA.

No. 300.

The Earl of Clarendon to Sir R. Pakenham.

Sir, *Foreign Office, July* 11, 1853.

I HAVE received your despatch of the 28th ultimo, inclosing copies of a correspondence which had passed between yourself and the Portuguese Minister for Foreign Affairs respecting a new settlement proposed to be founded by certain Portuguese subjects in the Mozambique territory; and I have the satisfaction of informing you that I approve of the note on that subject which you addressed to Viscount d'Athoguia on the 1st ultimo.

I am, &c.
(Signed) CLARENDON.

No. 301.

Sir R. Pakenham to the Earl of Clarendon.—(Received July 15.)

My Lord, *Lisbon, July* 8, 1853.

I HAVE had the honour to receive your Lordship's despatches of 20th and 21st June.

I have fulfilled the instructions contained in the first of these despatches by communicating to the Portuguese Government the substance of the information furnished by Her Majesty's Commissioners in the Mixed Commission at the Cape of Good Hope in their despatch of 31st March last, relative to the extensive Trade in Slaves which the Commissioners have reason to believe is carried on by the Portuguese settlements on the east and western coasts of Africa with the tribes of the interior.

I propose to take an early opportunity of directing the Viscount d'Athoguia's attention to the statement contained the despatch of Her Majesty's Commissioners at Loanda, a copy of which accompanies your Lordship's despatch of the 21st ultimo, relative to the advantage which would be derived from the appointment of a better class of persons to act as Commandants at the stations of Novo Redondo and Quicombo, the last occupants of which appointments were dismissed by the Acting-Governor of Angola for malpractices connected with the Slave Trade.

I have, &c.
(Signed) R. PAKENHAM.

No. 302.

Sir R. Pakenham to the Earl of Clarendon.—(Received July 15.)

My Lord, *Lisbon, July* 8, 1853.

I HAD the honour to mention in my despatch of the 28th of last month that it was my intention to call upon the Portuguese Government to take such measures with regard to the brig "*Carvalho*," lately sold out of Her Most Faithful Majesty's naval service, as should prevent her present owner from disposing of her with the probability of her reverting to her former occupation as a slaver.

I now beg leave to lay before your Lordship a copy of a note which I addressed to the Minister for Foreign Affairs for the above purpose, and a translation of his Excellency's answer, from which your Lordship will see that the Portuguese Government are ready to take the brig "*Carvalho*" again into the public service on her return from her present voyage to Bahia, provided that Her Majesty's Government will engage to interpret Article XI of the Treaty of 1842, as imposing upon both Governments the obligation not to sell any vessel condemned as a slaver, which, by virtue of the option reserved by the same Article XI, may have been purchased by either of them for the use of its Royal navy.

From the tenour of your Lordship's despatch of the 16th ultimo, relative to the case of the "*Carvalho*," I believe that I should not do wrong in at once assenting to this proposal of the Viscount d'Athoguia; but I have thought it better not to enter into any such formal agreement in the name of Her Majesty's Government without express authority from your Lordship.

With respect to the brig "*Carvalho*," now called the "*Sime*," which sailed from Lisbon for Bahia on the 26th of last month, I have prepared a letter to Her Majesty's Consul at Baha, to go forward by the next steamer for Brazil, acquainting him with the circumstances attending that vessel, in order that he may endeavour to defeat any attempt that might be made to sell her at that port, and that at all events he may let us know what becomes of her after she has delivered her present cargo at Bahia.

I have, &c.
(Signed) R. PAKENHAM.

Inclosure 1 in No. 302.

Sir R. Pakenham to Viscount d'Athoguia.

Sir, *Lisbon, June* 23, 1853.

I DULY submitted for the consideration of Her Majesty's Government the note which I had the honour to address to your Excellency on the 23rd of last month, relative to the case of the brig "*Carvalho*," and I have now the honour to acquaint your Excellency that Her Majesty's Government have been pleased to signify their approval of the view taken by me of that affair, thus showing that in the opinion of Her Majesty's Government the sale of a vessel circumstanced as was the "*Carvalho*" is at variance with the intention of the Treaty between the two countries for the suppression of the Slave Trade, and with the Regulations issued by Her Most Faithful Majesty's Government for the guidance of the Portuguese Prize Courts, in the case of vessels condemned for slave-trading.

Her Majesty's Government accordingly hope that your Excellency will be able to make such arrangements with regard to the brig "*Carvalho*," if, indeed, her sale cannot be cancelled, as shall render it impossible that she should be disposed of by her present owner with the probability of her being again employed in her former occupation as a slave-trader.

I perceive by an advertisement in the "Diario do Governo" that the vessel in question, now called the "*Sime*," was to have sailed on the 19th instant for Bahia, but it does not appear from the shipping intelligence that she has yet left the Tagus.

I have, &c.
(Signed) R. PAKENHAM.

Inclosure 2 in No. 302.

Viscount d'Athoguia to Sir R. Pakenham.

(Translation.) *Palace, June* 30, 1853.

I HAVE the honour to acknowledge the receipt of the note which you were pleased to address to me under date of the 23rd instant, manifesting your Government's wishes that, in case it should not be practicable to annul the sale of the brig "*Carvalho*," alluded to in your note of 23rd of May last, the necessary measures should be adopted for preventing the said brig from being again employed in the Slave Trade.

Having made myself acquainted with the contents of your above-mentioned note, it becomes my duty to state to you that the proper steps have already been taken in order that the said brig may, on her return from Bahia, again enter the service of the State, upon the condition that you bind yourself on the part of your Government to give to the XIth Article of the Treaty of 3rd July,

1842, the interpretation that slavers, when bought for the purpose of the Royal navy of the respective nations, may not be sold when their services become unnecessary.

I renew, &c.
(Signed) VISCOUNT D'ATHOGUIA.

No. 303.

Sir R. Pakenham to the Earl of Clarendon.—(*Received July* 24.)

My Lord, *Lisbon, July* 12, 1853.

I HAD the honour yesterday to receive your Lordship's despatches of 26th, 27th, and 30th June.

I have hastened to fulfil the instructions contained in these despatches, and with respect more particularly to the matters referred to in those of the 26th and 27th ultimo, I will endeavour that, if possible, suitable instructions respecting them shall be given to the Viscount Pinheiro, who was appointed some time ago to the office of Governor-General of Angola, and is now about to proceed to his post.

I have, &c.
(Signed) R. PAKENHAM.

No. 304.

Sir R. Pakenham to the Earl of Clarendon.—(*Received July* 24.)

My Lord, *Cintra, July* 18, 1853.

I THINK it right to lay before your Lordship the inclosed abstract, in translation, of the report of a discussion which took place in the Chamber of Deputies on the 12th instant, which has appeared in the Portuguese official journal, relative to the question of Ambriz, and to certain transactions said to have lately taken place on that part of the coast of Africa, in violation, as it is held, of the rights of Portugal over that territory.

The speakers on this occasion were Senhor J. M. de Luz, Deputy for Angola, and the Viscount d'Athoguia, in his double capacity of Minister for Foreign Affairs and for the Marine and Colonial Departments.

The speech of Senhor de Luz enters rather at length into the question of sovereignty, and cites a number of historical facts in support of the claim of Portugal to the possession of Ambriz.

The Viscount de Athoguia is also very peremptory in his assertion of this assumed right, and I am sorry to see treats as matters of established fact certain proceedings attributed to officers of Her Majesty's navy: such as having induced the son of a native Chief to sign a Treaty while in a state of intoxication, intelligence of which, I should think, could only have reached him through vulgar and unauthentic channels.

I have not had an opportunity of speaking to the Viscount d'Athoguia since this discussion took place, as I have been obliged, according to established usage, to come to Cintra during a few of the days which the Queen has it in contemplation to pass at this place.

I have, &c.
(Signed) R. PAKENHAM.

Inclosure in No. 304.

Extract from Report of a Discussion on the Ambriz Question, in the Chamber of Deputies, on the 12*th of July,* 1853.

(Translation.)

M. SIMAO JOSE DA LUZ thanked the Minister of Marine for his readiness in entering upon the discussion of this important matter, which involves the integrity of our territory and is therefore a national question. He said that some of the newspapers of this capital had spoken of a Treaty which was said to

have been got up between the British Government and the Chiefs of Cabinda and Ambriz; and in the same paper it was stated that a committee of Cabindas had gone to Loanda on the part of the Vice-King and Magnates of the mouth of the Zaire, there to protest that they only recognized as legitimate the authority of the Governor-General of Angola, who was the delegate of the Queen of Portugal in those parts.

That as all this had taken place without the knowledge of the Governor of Angola, nor had he the remotest suspicion of the Treaties which were in contemplation at Ambriz and Cabinda; and as it was equally true that several commanders of British vessels had overlooked the existing Treaties, he had been induced to move for all the correspondence which had taken place upon this subject, that the country might be informed of it through the discussion in the Chamber; he therefore trusted that the Minister of Marine would give positive explanations upon this important matter, and also state whether he considered the sum voted in the estimates for the naval armament sufficient to cause our flag to be respected under the circumstances which he had just set forth.

The Minister of Marine, in reply, said that the honourable member had very properly styled this a national question, inasmuch as it was sought to dispossess us of a portion of territory which is ours by right of conquest, which we have possessed for a lengthened period, and of which even the natives have always admitted that they belong to Portugal and have recognized the authority of the Government.

That in reply to the observations of the honourable member he would state, that the Government was informed through the Governor-General of Angola that a British vessel had proceeded to the port of Cabinda and had endeavoured to conclude Treaties with the Chiefs (Lovas and Marotas) of the country, under the pretext of preventing the Slave Trade. The Lovas refused to treat, but they were allured by presents, and a son of one of the Lovas was induced to go on board, and under the influence of spirituous liquor to sign a paper which was styled a Treaty.

That as soon as this occurrence was known at Angola a vessel of war was sent there, and he must confess that her officers had carried on a correspondence with those of the English vessel which does them great honour for the dignified manner in which they upheld the rights of Portugal. This correspondence at length ceased, as the commander of the English vessel declared that it was no longer within his province to treat the case, but referred it to the English Government.

That the Marotas on this occasion declared to our officers, that they had been urged and allured by high promises to accede to what the English proposed to them, and stated that they had formally refused so to do, and that the person who signed the paper had done so when almost in an unconscious state, and that the paper presented to him was a receipt which the English gave him for his son.

That from the latest despatches from the Governor of Angola, it appeared that the English had given up their intention of making Treaties; but, the repeated attempts which have been made to take possession of part of our territory, is a serious matter, and demands all our attention, to the end that, once for all, our rights to those territories may be recognized. That so much he had to state as regarded the Marine Department, and on the part of the Foreign Department he would observe, that the Ist Article of the Treaty of 1817 defines the territory of Western Africa which belongs to the Portuguese Crown, and therein is comprehended Cabinda: and Article II contains the reservation of right to the whole of the territory iucluded between the 5th and 8th degrees, wherein is comprehended Ambriz. That this, then, is the subject of a diplomatic arrangement which is confided to our Minister in England, and the Government have furnished him with all the documents which they consider necessary for clearly establishing our right to that territory; and have written to the Viscount de Santarem requesting that he will forward to our Minister at London all documents that he may meet with and judge to be conducive to the same end. That he could assure the House that our Minister in London had carried on this affair as actively as possible.

That with reference to the honourable Deputy's question respecting the vote for naval armament, he would say that he considered it sufficient for the demands of the service, and that he did not, in saying this, refer to the subject

under consideration, which being in the hands of diplomacy will follow its natural course.

That he trusted that the honourable Deputy, who had studied so extensively the subject of Angola, would also furnish him with any documents of which he may have a knowledge; and the new Governor who proceeds to Angola would be instructed to seek any documents, whether written or traditional, which may come in aid of our right.

That, in conclusion, he would take the opportunity of mentioning a pamphlet signed by Arthur P. Eardley Wilmot, and of declaring that what is stated in the said pamphlet against all the Portuguese authorities in our African colonies, and against the officers of our navy who serve on those coasts, is highly slanderous.

M. S. J. da Luz said that in compliance with his Excellency's invitation, he would proceed to state to the House the result of his studies and observations in connection with the affairs of the province of Angola.

According to the testimony of various authors, among whom is counted our contemporary José Acursio das Neves, in his "Considerações Politicas e Commerciaes," the dominions of Portugal on the western coast of Africa south of the Equator, comprehended the whole of the territory from Cape Lopo Gonçalves situated in 1° of south latitude, to Cabo Negro situated in 16° of south latitude. Within these limits were included, as they are still now, to the south of Loanda, the important mouth of the Coanza, Novo Redondo, Quicombo, Benguella, and Mossamedes. This latter point was secured to Portugal by the late Administration by the erection of a fort, thus securing the dominions of the Crown on that side. To the north of Loanda were comprehended the district which we still possess in the Bengo and the Dande, together with the contested coast of the Ambriz, Loango, the mouth of the Zaire, Cabinda, and the Bay of Alvaro Martins, or Maiumba. All these territories were possessed then by Portugal without dispute, from the time of their discovery in 1484, up to the commencement of the piratical acts practised there and in many other parts of the dominions of the Crown of Portugal by the Dutch, during the period of our inauspicious and unlucky enslavement by Spain.

In 1648, the Dutch were expelled by the brave Captain Benevides, when we retained undisputed possession of the whole coast for nearly two centuries. But owing to our neglect in keeping the forts on the proper footing, and to the gradual decline of our commerce, foreigners were induced to frequent the Zaire and other points north and south of this river, trading to such an extent and with such impunity, that the English even went as far as to erect a fort in Cabinda, from whence they were however expelled in 1723 by Captain José Sem Medo Maia, who destroyed the fort and took thirty-five pieces of cannon and two ships. If Cabinda were not Portuguese territory, would this occurrence have taken place without a claim on the part of Great Britain. Further neglect encouraged the continuance of contraband trade by foreigners in these parts, until they began to contest our right to them, as there was no appearance of any Portuguese forts or even authorities, but only some commercial factories belonging to our countrymen. This state of things continued till the year 1780, when the Government of Angola began to feel alarmed, and to set about the erection of some forts on those points of the coast nearest to the River Zaire, a resolution which time has shown to have been taken too late, and which it is to be feared will be fruitless.

The rights of the Crown and the commerce of Portuguese subjects suffered more and more from the increasing resort of foreigners to the coast of Loango; they paid higher prices for slaves, giving in exchange more and better merchandize than our countrymen, and thus they finally monopolized the whole of the trade, besides introducing into Loanda a large quantity of merchandize by contraband, a practice which they still carry on, to the great prejudice of the custom-house revenue.

The General Government of the province of Angola being reduced to extremities, sent an Ambassador to the King of Congo, to obtain his aid in carrying out the plans which were in contemplation and which included the erection of a fort at Loango and one at Cabinda, and a fortlet at Cape Lopo Gonçalves, to secure once for all to Portugal the possession of these territories, and to compel foreigners to a due respect of the laws of the country. This question being submitted to the metropolis, the fort at Cabinda was commenced in 1783, by command of Dona Maria I, for which purpose a very fine expedition

left Loanda, with everything necessary for this object. In the following year however, and when the works of the fort were only half concluded, a French naval force commanded by a M. de Marigny, anchored in the waters of Cabinda, and demanded the delivery of the fort, under the pretext that Portugal did not and could not possess any exclusive right either there or at Loango as far as Ambriz. The garrison was obliged to capitulate at last, retiring to Loanda with all the baggage which they could convey, and the sequel of this unfortunate affair was the entire demolition of the fort. Thus then commenced the armed contention of the sovereignty of Portugal to that point, and which in fact caused the loss of these our territories; the question of right, which later was set down in diplomatic documents, remaining however undecided.

In 1786 by a fresh fatality, the port of Ambriz was opened to foreign trade, and from the absence of any authorities and neglect in erecting a fort our right was impugned, and foreigners extended their commerce nearer and nearer to Loanda, and carried it on at Jembo, north of Ambriz, and at Quitungo to the south, without the intervention of Portuguese authorities. About this time the Marquis of Mossul, who is entitled King of Ambriz and who was a vassal of the King of Congo, being induced by foreigners to rebel, entered in great state and with an armed force into our possessions of Dande and Bengo, which he laid waste, and came on nearly to Loanda, causing great terror. After a contest of some months his troops were dispersed, and he was obliged to come to Loanda, seeking to be admitted again as a vassal of the Crown of Portugal, for which purpose he signed a compact with all the necessary formalities. It is to this important document, which is most likely to be found in the archives of the Governor-General of Angola, that the attention of the Minister of Marine is called, as in the absence of more ancient documents this will prove to foreign Governments the rights of the Crown of Portugal to this important commercial point.

The good result of diplomatic negotiations carried on in Paris towards the end of last century, to obtain the recognition by France of our right to all, or part of the portions of Western Africa which she disputed, is mentioned in "Ensaios Estatisticos das Provincias Ultramarinas" by M. Lopes de Lima, note page 23, which says that a Convention was made with that Power on the 30th of January, 1786, which recognizes the exclusive right of possession by the Portuguese Crown to the coasts to the south of Cabo Padrão (at the mouth of the River Zaire) there to form settlements, &c. By this important document, to which the attention of his Excellency is also called, can be proved the unquestionable possession which Portugal held and ought to hold of Ambriz, which is much to the south of Cabo Padrão, as well as of all the coast of Loango which is also to the south.

With regard to the recognition on the part of Great Britain, it appeared to be a much better known affair, as it was contained in official documents of a much more recent date. Article X of the Treaty of Friendship and Alliance concluded between Portugal and Great Britain, on the 19th February, 1810, stipulates that the provisions of the said Treaty do not in any way affect the right which the Crown of Portugal might have to the territories of Molembo and Cabinda, &c. Article II of the Treaty concluded with the same Power for the abolition of Slave Trade, dated the 22nd of January, 1815, guarantees the same as was consigned in the former Treaty of 1810. Article III of the Additional Convention to the Treaty of 1815, and which bears date of the 28th of July, 1817, guarantees in a much more solemn manner than the two former documents, all that could be desired on the subject. In the said Article III, Great Britain recognizes the reserve which Portugal made of her rights to the contested points on the African continent, to the south of the equator, with the express designation of Molembo and Cabinda, and all other territories comprehended between 5° 12′ and 8° south latitude, which includes Ambriz.

The solemn provisions of the Slave Trade Treaties being then of a permanent nature, that ally of ours, Great Britain, only considers that these provisions ought to be complied with when they tend to oppress and vex us, and becomes contentious and intractable with regard to such as might benefit us. Here are exemplified the fatal results of treating with powerful nations, who will always act towards us as we read in the fable of the wolf and the lamb.

Following the example of their Government, and probably carrying out their instructions, it is a fact that the British cruizers in the waters of Angola have

not scrupled to exhibit the most flagrant and palpable contempt for international rights. An English cruizer, in 1843, went as far as to state in an official document, a doubt as to Ambriz being a Portuguese dominion; and his conduct was the more calculated to astonish the Government of Angola, as by a Convention made six or seven years previous, between Vice-Admiral Noronha and the then commander of the British naval forces, it was stipulated that the Ambriz was considered as decidedly Portuguese, and as such directly and exclusively subject to the supervision of the Portuguese authorities of Angola.

In 1850, the blacks of Ambriz destroyed a barracoon belonging to a British subject, which caused the English to go and obtain summary satisfaction, without informing or consulting the Portuguese authorities at London, which was equivalent to not recognizing Ambriz to be Portuguese territory. This conduct was the more notable, as on the 30th November, 1846, Lord Palmerston himself had not hesitated to assure our Minister in London, that Ambriz was a Portuguese territory, even stating it to be not comprehended within the 5° and 8° spoken of in the Convention already mentioned, of 28th July, 1817. That Ambriz was still, in 1850, reputed as Portuguese territory by Great Britain, is proved by the official correspondence carried on between the English Minister at Lisbon, and the Portuguese Government, to whom he very pressingly offered the cooperation of the British squadron in the waters of Angola, to aid in the effective destruction of all the slave-depôts existing there, and to prevent their being again established. And after all these facts comes the most scandalous of all, that of a British cruizer going to Ambriz and Cabinda, seeking to negotiate with the chiefs Treaties for the abolition of the Slave Trade, without consulting the Portuguese authorities of Angola, which amounts to a fresh act of aggression against the sovereignty of Portugal in those parts.

This being then the state of the affair, he would beg of the Minister for Foreign Affairs to hasten the conclusion of the diplomatic negotiations upon this subject, as it was most urgent that the General-Governor of Angola should know how to proceed with regard to foreigners who illegally trade to Ambriz. An imprudence on the part of the Governor-General of Angola, or of our naval commander in those waters may, by taking slavers belonging to foreigners, or destroying slave-depôts in the disputed territory, lead us into serious difficulties. Not long ago such a case as the above happened, and led to important claims on the part of a foreign Power. On this occasion, Great Britain, through her Minister in Lisbon, counselled us to answer the Minister who preferred the claim, that his countrymen had been found at Ambriz, trading in slaves, in manifest violation of the laws of the country, which he certainly considered to be Portuguese; and that therefore, instead of being compensated, they only deserved punishment. This advice was truly very friendly, considering Great Britain's conduct towards us at present.

We would conclude, by again urging upon his Excellency the necessity of bringing these diplomatic negotiations to a speedy and favourable close, and of erecting the necessary forts at Ambriz and on the coast of Loango.

The Minister of Marine said, that he would attend to the recommendation of the honourable Deputy, and begged to thank him for pointing out the several documents which he had referred to, many of which he believed were already in London, as well as a copy of the report of the Conselho Ultramarino upon this subject.

No. 305.

The Earl of Clarendon to Sir R. Pakenham.

Sir, *Foreign Office, July* 28, 1853.

WITH reference to your despatch of the 8th of February last, I transmit herewith, for your information, a copy of a despatch* from Her Majesty's Consul at New York, reporting the result of his inquiries with regard to the brig "*Don Pedro Segundo*," which was mentioned by you as being a vessel likely to be employed in the Slave Trade.

I am, &c.

(Signed) CLARENDON.

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* No. 705, page 841.

No. 306.

The Earl of Clarendon to Sir R. Pakenham.

Sir, *Foreign Office, August* 18, 1853.

I HAVE been informed by the British Commissioners at Loanda, that a Brazilian subject and notorious slave-dealer, named Francisco Antonio Flores, now resident at Loanda, enjoys the patronage and countenance of the principal authorities of that city, and is now employing his great wealth for the revival of the Slave Trade in the Province of Angola.

The papers referred to in the inclosed despatch* will show that there are some original letters deposited in Her Majesty's Legation at Rio de Janeiro, which prove that in the year 1850 Flores was in correspondence at Loanda with a well-known commander of slave-vessels, named Jacintho Derizans; and I have instructed Her Majesty's Chargé d'Affaires at Rio de Janeiro to transmit to Her Majesty's Government certified copies of that correspondence, in order that it may be laid before the Portuguese Government.

But in the meantime the facts which have come to my knowledge show clearly enough the powerful influence which Flores is now allowed to possess at Loanda, and that he was about to use that influence in furtherance of measures which, it appears, were to be taken upon a large scale for the shipment of slaves from the south coast of Africa.

And under these circumstances I have to instruct you to bring the above-mentioned facts to the knowledge of the Portuguese Minister for Foreign Affairs, and to state to his Excellency, that as Her Majesty's Government give credit to the Portuguese Government for a sincere desire to fulfil their engagements towards Great Britain for the extinction of the Slave Trade, they trust that his Excellency will cause immediate instructions to be sent to Loanda, directing the expulsion from Angola of Flores, and of any other persons resident in that province, who may be concerned in his criminal schemes for the revival of this hateful Traffic.

I am, &c.
(Signed) CLARENDON.

No. 307.

Sir R. Pakenham to the Earl of Clarendon.—(Received August 25.)

My Lord, *Lisbon, August* 18, 1853.

A FEW days ago there appeared in an Opposition newspaper here, called the "Imprensa," a paragraph, of which I have the honour to inclose a translation, calling upon "the British Minister at this Court in the name of humanity, the faith of Treaties, the national honour of Portugal, to recommend without delay to his Government the necessity of causing the British cruizers on the coast of Africa to exercise the greatest vigilance respecting the Slave Trade."

This warning is, I have no doubt, intended to apply to the Viscount Pinheiro, who had sailed a few days before to occupy the post of Governor-General of Angola, conferred upon him now nearly two years ago by the Duke de Saldanha, but of which he had hitherto, on the plea of bad health, delayed to take possession.

The insinuation conveyed is, of course, that the Viscount Pinheiro proceeds to his post for the deliberate purpose of enriching himself by conniving at the Slave Trade.

If your Lordship will have the goodness to refer to my despatches of 8th and 18th October, 1851, your Lordship will find an account of what passed between the Portuguese Government and myself on the subject of the Viscount Pinheiro's first appointment. Since then nothing has occurred to alter the state of this question, nor has anything come to my knowledge respecting the Viscount Pinheiro's character in a way to justify any stronger remonstrance on my part respecting his appointment.

* See Class A, No. 66.

As soon, however, as it became known that the Viscount was about to proceed to his post, I took occasion to remind the Minister for Foreign Affairs of what had passed between us when he (Viscount Pinheiro) was first appointed; adding that, after the explanation which then took place, and the assurances then given in the name of the Portuguese Government, Her Majesty's Government would have grave cause to complain if anything should occur during the Viscount de Pinheiro's administration of the Province of Angola to justify the belief that he either connived at the Slave Trade or was deficient in zeal for its suppression.

The Viscount d'Athoguia assured me, with every appearance of sincerity, that he had no reason to doubt the loyalty of Viscount Pinheiro's intentions in all that related to the fulfilment of his public duties, including the prevention of the Slave Trade.

As to the paragraph in the "Imprensa," although I do not wish to be understood as vouching for the integrity of Viscount Pinheiro, I feel bound to say that the indiscriminate and scurrilous violence towards every member of the Government, and every measure adopted by them, with which that paper is conducted, prevent me from placing much confidence in its statements, and most certainly from giving to the writers of such articles credit for any good or upright intention in the impressions which they thus endeavour to produce upon the public.

I have, &c.

(Signed) R. PAKENHAM.

Inclosure in No. 307.

Extract from the "Lei."

(Translation.)

IN compliance with the request of our contemporary of the "Imprensa," we transcribe the following article, which is published in this day's number of that paper.

Confiding in the good faith and efficacy of Her Britannic Majesty's diplomatic Agent in this Court, we trust that his Excellency will take into due consideration this notification, which we judge to be of the highest importance.

Our contemporary expresses himself in the following terms.

(Signed) LUIZ DE VASCONCELLOS.

"In the name of humanity, of civilisation, of the good faith of Treaties, and of Portuguese national honour, we beg of the English Minister at this Court to recommend without delay to his Government the necessity of ordering the British cruizers on the Portuguese coast of Africa to exercise the greatest vigilance with regard to the Traffic in Slaves.

"We request that the different journals published in Lisbon, and in any other part of Portugal, will oblige us by transcribing in their columns this notice which we give to Her Britannic Majesty's Minister at this Court."

No. 308.

The Earl of Clarendon to Sir R. Pakenham.

Sir, *Foreign Office, September* 3, 1853.

WITH reference to your despatches of the 28th May, 28th June, and 8th July, relative to the case of the condemned slaver "*Carvalho*," which had been taken into the naval service of Portugal, and which was afterwards transferred from that service to a merchant at Lisbon and sent to sea as a trader, I have to acquaint you that I have called the attention of the Lords Commissioners of the Admiralty to the contents of your despatch of the 8th July, which states that the Portuguese Government has agreed to take the "*Carvalho*" again into the naval service of Portugal, and to retain her therein, provided that Her Majesty's Government will engage to interpret Article XI of the Treaty of July 1842, between Great Britain and Portugal, as imposing upon both Governments alike the obligation not to sell any vessel condemned as a slaver, which, in virtue of the option reserved by that Article, may have been purchased by either of them for the use of their respective navies.

The Lords of the Admiralty have stated that they see no reason why Her Majesty's Government should object to the above proposal, and I have accordingly to authorize you to assent on the part of Her Majesty's Government to the arrangement to that effect which is proposed in Viscount Athoguia's letter to you of the 30th of June last.

I am, &c.

(Signed) CLARENDON.

No. 309.

The Earl of Clarendon to Sir R. Pakenham.

Sir, *Foreign Office, September* 3, 1853.

I HAVE received your despatch of the 18th of August, stating that there has appeared in a Lisbon newspaper a paragraph which you believe to relate to Viscount Pinheiro, the Governor of Angola, pointing out that is necessary that the British cruizers on the coast of Africa should exercise the greatest vigilance respecting the Slave Trade.

And I have to acquaint you that Her Majesty's Government approve of your having again warned the Portuguese Government against the possible connivance of the Viscount de Pinheiro at any attempt to renew the Slave Trade during his administration of the province of Angola.

I am, &c.

(Signed) CLARENDON.

No. 310.

Sir R. Pakenham to the Earl of Clarendon.—(*Received September* 3.)

My Lord, *Lisbon, August* 28, 1853.

I HAVE had the honour to receive your Lordship's despatch of 28th July, inclosing a copy of a despatch from Her Majesty's Consul at New York, in answer to your Lordship's inquiry respecting a vessel called the "*Don Pedro Segundo*," supposed to have been formerly employed as a slaver.

The "*Don Pedro Segundo*" arrived at Lisbon on the 9th of July, after a rapid passage from New York, and sailed again for Rio de Janeiro on the 24th instant. I caused inquiry to be made at the Custom-house respecting the cargo taken on board on this occasion, and I find it to consist altogether of articles in no way suited to slave-trading purposes; but as there are circumstances stated in Mr. Consul Barclay's letter which still justify suspicion as to the character of the "*Don Pedro Segundo*," I purpose to forward a copy of that letter to Her Majesty's Chargé d'Affaires at Rio by a steamer which is advertised to sail from Lisbon for Rio on the 29th of this month, in order that Mr. Jerningham may take measures to ascertain to what sort of trade she is devoted after she reaches the Brazils.

I have, &c.

(Signed) R. PAKENHAM.

No. 311.

Count Lavradio to the Earl of Clarendon.—(*Received September* 13.)

(Translation.) *London, September* 12, 1853.

THE Undersigned, Envoy Extraordinary and Minister Plenipotentiary of Her Most Faithful Majesty, has the honour, in furtherance of the orders of his Government, to lay before his Excellency the Earl of Clarendon, &c., the following narrative of acts done by Commander Bunce in Quissanga, a Portuguese possession on the east coast of Africa, by order of Commodore C. Wyvill, commanding the British cruizer charged with preventing the Slave Trade on the east coast of Africa:—

On the morning of the 6th August, 1852, five boats belonging to the abovementioned British cruizer, having a great number of armed men on board, and

commanded by Captain Bunce, of the Royal British Navy, approached the shores of Quissanga, and set fire to a new vessel [pangayo] called the "*Systema Solar*," which had never yet sailed, and the owner of which was Boana Cheque Dali, a Portuguese subject.

Immediately after the pangayo was burnt, the ships' boats went away; but after a short interval they returned to Quissanga, and 100 or 120 armed men landed from them, under the command of Captain Bunce, accompanied by two other officers. The landing was hardly effected, when Falume Chande Bun Imamo, the Head Officer of Quissanga, presented himself to Captain Bunce, and, showing him the Portuguese flag, said to him, that the country belonged to Donna Maria II, the Queen of Portugal. At this intimation Captain Bunce replied, that he did not acknowledge the Portuguese flag, nor the Queen of Portugal; that he knew only his own chiefs. He then proceeded to capture the Chief Officer (Portuguese authority), placing him in the middle of the armed force, commanding him to guide him and the force under his command to all the habitations in Quissanga, and passing them all in review, but found no slaves there. At last they came to the house of Boana Cheque Dali, the owner of the burned pangayo, where they found the end of the prow of the aforesaid pangayo, the only thing belonging to the vessel that had not been devoured by the fire, and a pot for cooking rice; Captain Bunce, seeing those things, forthwith ordered the habitation to be burnt, as suspected of serving for a slave-depôt.

When this violation of Portuguese territory, this arbitrary destruction of the property of a Portuguese subject, and those insults to the flag and to the august and sacred name of the Queen of Portugal were terminated, Captain Bunce ordered the Chief Officer to be set at liberty, and withdrew with all his men on board the British vessel.

The Chief Officer of Quissanga immediately gave information to the Governor of the Islands of Cape Delgado, residing at Ibo, a few miles distant from Quissanga, of the arbitrary acts done by Captain Bunce. Copies of the communications made on the 6th and 8th of August, 1852, by the aforesaid Chief Officer, accompany the present note. (Inclosures 1 and 2.)

The people of Quissanga, alarmed and indignant at the acts done by order of Captain Bunce, addressed to the Governor-General of Angola a report of all that they had witnessed. This document, a copy of which the Undersigned has the honour to forward to his Excellency the Earl of Clarendon (Inclosure 3), is signed by more than 150 inhabitants of Quissanga. The original document is in the hands of the Undersigned, who will have no difficulty to present it to his Excellency the Earl of Clarendon, if his Excellency wishes to see it.

The Governor of the Islands of Cape Delgado, seeing the necessity of investigating with all circumspection the facts of which the inhabitants of Quissanga complained, ordered a judicial inquiry to take place; the result of this inquiry, made before a competent magistrate, appears in the Act, copy of which accompanies this note. (Inclosure 4.)

On view of the accompanying documents, from which the Undersigned extracted his narrative, it appears unquestionable:

1. That Captain Bunce violated the Portuguese territory;
2. That he destroyed property belonging to Portuguese subjects;
3. That he was wanting in the respect due to the flag of Portugal, and to the august and sacred name of Her Most Faithful Majesty the Queen of Portugal.

But before accusing Captain Bunce for the acts done by him in Quissanga, before demanding an indemnification for the Portuguese subjects whose property was illegally and unjustly destroyed, before demanding, finally, a solemn reparation for the insults done to the flag and Queen of Portugal, the Undersigned has to analyse the defence presented by Captain Bunce in the reports which he, on the 12th of August last year, addressed to Commodore Wyvill, of which the Admiralty will, without doubt, have already given due notice to his Excellency the Earl of Clarendon.

Captain Bunce confesses a part of the accusation against him brought by the authorities and inhabitants of Quissanga, and proved judicially, but he denies another part.

Captain Bunce confesses that he had commanded the pangayo to be burnt, which was on the shores of Quissanga, as well as a habitation, to which the name of barracoon is given.

Without denying that the Portuguese flag was shown to him, he, however, denies that it was shown in the act of landing, asserting that it was only shown to him afterwards, and even then in an irregular way; he denies that he uttered any expression derogatory to the respect due to the flag and the name of the Queen of Portugal.

He maintains that there was no authority of the Portuguese Government in Quissanga, and that consequently his acts were in conformity with the stipulations contained in the Protocols of the 12th August, 1847, and 19th November, 1850.

The Undersigned has to make the following observations on the asseverations of Captain Bunce, supported by Commodore Wyvill:

With regard to the burning of the pangayo:

Even though it had been proved, which certainly is not proved, that there was no authority in Quissanga on the part of the Portuguese Government, even then the burning of the pangayo would be an arbitrary act, because the Protocol of the 12th August, 1847, renewed in November 1850, authorized the vessels of Her Britannic Majesty only to follow and capture slave-ships, but not to destroy them.

There being grounds for capturing the vessels treated of in the aforesaid Protocol, such vessels ought to be treated like those captured on the coast or in the open sea; that is to say, they ought to be carried before the respective Mixed Commission.

The destruction, then, of the pangayo, contrary to what is expressly stipulated in the before-mentioned Protocol, appears to strengthen the proofs found in the Act of the judicial Commission of Inquiry; that is to say, that the pangayo was a new one, and that there was in it no indication of its having been employed in the infamous Traffic in Slaves. If such indications existed, it was the duty and the interest of the captain to make them apparent to the competent Commission. The Undersigned also begs his Excellency to observe, that there was not even an inventory made of the state of the pangayo, and what it contained. The fire devoured everything, and it is pretended that full credit should be given to the word of the British Commander, whose conduct, which was certainly arbitrary, cannot but be suspected of bad faith.

"There was no authority in Quissanga on the part of the Portuguese Government:"

So say Captain Bunce and Commodore Wyvill. But who then was the first officer; who showed the Portuguese flag; who protested against the landing of the British force, declaring that Quissanga belonged to the Crown of Portugal, of which he and those that were there were the subjects, and who immediately after informed the Governor of Ibo of what had taken place? But even though there had been no Portuguese authority in Quissanga, which it is proved there was, was not the Governor of Cape Delgado at Ibo, a distance of only a few miles? Why did not Commodore Wyvill address himself to that Governor before ordering those arbitrary acts to be done which Captain Bunce executed?

The Undersigned would very much wish to be able to believe the assertion of Captain Bunce, that he was not wanting in the respect due to the flag and Queen of Portugal; but the result of the judicial inquiry is a stronger proof than the simple declaration of Captain Bunce and Commodore Wyvill.

In consideration, therefore, of the facts above stated, and of the documents accompanying this note, the Undersigned, knowing the impartiality and uprightness with which the Government of Her Britannic Majesty proceeds in all its resolutions, trusts that his Excellency the Earl of Clarendon, after having investigated the facts referred to, and the circumstances and proofs of the same, will not hesitate in acceding to the following demands, which the Undersigned has the honour to address to his Excellency by order of his Government:

That the Portuguese subjects whose property was destroyed in Quissanga, by order of Commodore Wyvill, be duly indemnified for the loss they have sustained;

That a full and solemn satisfaction be promptly furnished to the Government of Her Most Faithful Majesty for the violation of the Portuguese territory committed in Quissanga, by Captain Bunce, under the orders of Commodore

Wyvill, and for the expressions uttered by that officer against the flag and the august name of the Sovereign of Portugal.

If, for the prompt and just compliance with this demand, his Excellency the Earl of Clarendon wishes for further explanations beyond those which result from the documents accompanying the present note, the Undersigned will hasten to offer them to his Excellency, either verbally or in writing, according to the wishes that his Excellency may express for the same.

The Undersigned, &c. (Signed) LAVRADIO.

Inclosure 1 in No. 311.

The Chief Officer of Quissanga to the Governor of Ibo.

(Translation.)

Illustrious Senhor Governor,

I INFORM you that five English boats appeared this morning near Quissanga; they went directly to the pangayo of Boana Chaque Dali, and set fire to it and burned it. This pangayo, Senhor Governor, was recently built in Quissanga; it had never made a voyage, and had nothing on board but the mast and ropes, because the owner intended to set up the mast this very day, in order to go to Ibo to get a passport for Mozambique to get his flags there. The captain of the boats ordered it to be burnt, without having any cause for it; because the pangayo had no water on board, nor any provisions, nor had anything why the English should burn her. The owner is now ruined because he had nothing more than his pangayo, which cost many years and much money in building.

(Signed) FALUME CHANDE BUN IMAMO.

Quissanga, August 6, 1852.

True copy.

(Signed) Jeronimo Romero.

Government House, Ibo, August 16, 1852.

Inclosure 2 in No. 311.

The Chief Officer of Quissanga to the Governor of Ibo.

(Translation.)

Illustrious Senhor Governor,

I INFORM you that yesterday, after I wrote to you the first letter which I sent to you, five English boats came in, and landed 100 persons and 3 officers. As soon as they landed, they seized me and said, You are the Governor from this place to the point of Cape Delgado, you are the person who does business; and immediately they put me in the midst of them, fifty persons before and fifty behind, and took me to the house of the Governor of this place, and told me to conduct them to all the houses, that they might see if there were any slaves; and, finally, I complied with their orders, and took them to the house of the Governor of this place, and there they went into the house, and they saw nobody; they only saw the prow [bico] of the pangayo, which the said English burned; and they saw also a rice-pot, and they said that this was the slave-factory; and then they told me to take them to all the houses, as I have already said; and then we all went to see the houses, but I being taken, my house alone they did not visit. After they had passed all the houses, we returned to the house of the Governor, and they set it on fire; but the Moors of Quissanga were all armed, and would not do anything to the English, because I was a prisoner, or else Quissanga would have been destroyed yesterday. I showed them the flag of Dona Maria II, and told them that this land belonged to Dona Maria II, Queen of Portugal. Then they said that they did not know any Queen or flag: we only know our commander; and we will burn this land because they sell slaves. They asked me the name of the Governor of Ibo; I

replied, he is called Jeronimo Romero, a Marine Officer; they said they did not know him. Then they put me in the midst of them and led me to the shore, and immediately the officer ordered the seamen to the boats, 10 persons and 3 officers remaining. Once more they put me in the midst of them, and led me near their boat; and when the whole 13 had jumped into their boat, they left me remaining, and at last gave me leave to return to my house. They only set fire to the house of this Governor.

(Signed) FALUME CHANDE BUN IMAMO.

Quissanga, August 8, 1852.

True copy.

(Signed) Jeronimo Romero.

Government House, Ibo, August 16, 1852.

Inclosure 3 in No. 311.

Representation of the Inhabitants of Quissanga to the Governor of Mozambique.

(Translation.)

Illustrious and Excellent Sir,

USING the permission granted to us by the illustrious and worthy Governor of this district, Jeronimo Romero, Lieutenant of the Navy, most respectfully we take the liberty to address this manifestation of the people to your Excellency, in order that by this means the arbitrary and violent conduct of the boats of the Admiral's ship, commanded by the officer of the same, and also the want of respect shown to the Government of our Queen on the 6th and 8th instant, may be brought to the knowledge of the Government of Her Majesty.

It was 9 o'clock in the morning of the 6th of August, when the peaceful inhabitants of Quissanga, faithful subjects of Her Most Faithful Majesty, saw five English boats go close to the pangayo "*Systema Solar*," belonging to the Governor of the Moors, and immediately after we saw that the English naval force threw fire into it, until it was destroyed totally.

In a few moments, Excellent Senhor, a new pangayo was reduced to ashes, which had never yet made a voyage, and which had nothing upon her except the mast, which was to have been fixed up on that same day.

She was built in Quissanga, of Portuguese wood and by Portuguese subjects; and her owner, who spent so many years and so much money in the building, was in despair at seeing the fruit of his labours and his savings destroyed in a few moments.

The officer of the ship was not yet satisfied with having set fire to the aforesaid pangayo, and committed an outrage against the right of property; he went still further. At 2 o'clock in the afternoon he landed in Quissanga with a force of 100 to 200 men, completely armed, and then seized and insulted the chief officer, Falume Chande Bun Imamo.

Then immediately the chief officer showed them the Portuguese flag, and said to the officer of the ship, commanding the force, that Quissanga was a Portuguese land, and its inhabitants faithful subjects of Her Majesty the Queen of Portugal, and that he hoped they would not commit hostilities against an allied and friendly nation.

The inhabitants of Quissanga witnessed and heard with the greatest horror that the commander of the forces said, he did not recognize the Portuguese flag nor Government, nor any Queen, and that he knew only his Admiral. Such an insult, committed in the presence of Her Majesty's subjects, would certainly not remain unpunished by the inhabitants of Quissanga, were it not for the recommendation we had from our excellent Governor Romero to use all prudence and moderation towards the forces of Her Britannic Majesty.

They immediately visited the whole village, entered into all the houses, and finding nothing to cause suspicion of the inhuman Trade in Slaves, they prepared to return to their vessel; but wishing first to leave a mark of their destruction, they set fire to the house of the Governor of the Moors, merely

because they found in it the prow of the burnt pangayo, which belonged to the same owner.

The peaceful inhabitants of Quissanga witnessed and saw these unpleasant occurrences, without having on their part given any cause for them. They ought not to be confounded with the inhabitants of Angoncha, nor with the inhabitants of other ports of the province, who have been constantly in rebellion, both against Her Majesty's Government and against the English naval forces.

The inhabitants of Quissanga and of the town of Ibo, with the greatest respect and submission, beg justice and protection of your Excellency against the arbitrary acts of foreign forces.

God preserve, &c.

Quissanga, August 10, 1852.

(The signatures follow.)

Inclosure 4 in No. 311.

Papers connected with the Judicial Inquiry respecting Commander Bunce's Proceedings.

Illustrissimo Senhor,

DIZ Bernardino de Barros Coelho, Sub-delegado do Procurador Regio, que elle apensa á este officio do Illustrissimo Senhor Governador, bem como as copias dos officios do Capitão-Mór dos Mouros de Quissanga, espero que vossa Senhoria se digne de mandar proceder o Auto de Corpo Delicto, para que supplicante dá duas testemunhas, Jaqui Boanagy e Muça Bacar, para se perguntar o falto havido e por tanto.

Pede á vossa Senhoria de mandar proceder da que, &c.

Receberá mercé.

Ibo, 9 de Agosto de 1852.

(Assignado) BERNARDINO DE BARROS COELHO,
Sub-delegado do Procurador Regio.

Despacho.—Deferida : seja notificados para se apresentarem na minha residencia pelas dez oras de manhãa no dia dez do corrente, e igualmente sejão intimados os cidadões Aladri Bunu Aiaia e Aiaia Chando, para servirem de peritos, e duas testemunhas Abudala Fisso Daly e Zacaria Chando, na minha residencia e a sobredita ora e dia, para o procedimento do exame de Auto do Corpo Delicto, que o supplicante requer.

Ibo, 9 de Agosto de 1852.

(Assignado) NORONHA.

Certifico eu, Abaixo-assinado, ter notificado aos cidadões abaixo-assinados, na conformidade do despacho supra, e para contar passei esta, em que se assignarão comigo dito escrivão que o escrevi mez era ut supra.

(Assignado) JOAO AFFONSO DE ATTAIDE.
MADRI BUN AIAIA.
AIAIA CHANDE.
ABUDALA FISSO DALY.
ZACARIA CHANDE.

Illustrissimo Senhor,

A vista das partes incluzas do Capitão-Mór de Quissanga, com data de seis e oito do corrente, vossa Senhoria procederá judicialmente afim de veriguar e conhecer pelos meios legaes, e conforme manda a ley :

Primeiro. Como se chama o proprietario do pangaio, e se he subdito Portuguez.

Segundo. Se o pangaio era novo, e se tinha feito alguma viagem.

Terceiro. Em que lugar foi a sua construção.

Quarto. Para onde pertendia o dono manda-lo navegar.

Quinto. De quantas tonnelladas, em quantas arrobas carregara.

Sexto. Se tinha abordo mantimento, ou agoada, ou algum indicio do escravatura.

Setimo. Porque motivo os Inglezes queimarão a caza do Governador dos Mouros.

Oitavo. Se a dita casa tinha algum indicio de escravatura.

Nono. Informa-se bem circumstanciadamente se he verdade que o commandante das lanchas Inglezas não quiz reconhecer a bandeira Portugueza, que o Capitão-Mór lhe mostrou.

Decimo. Conhecer bem se o dito commandante disse que não conhecia a Rainha de Portugal nem Governo.

Decimo-primeiro. Se he verdade o elle dizer, que podia pôr fogo á todos as terras porque elle commandante não reconhecia senão o seu Almirante; finalemente, todos os mais esclarecimentos que sobre esta questão se possão citar, que o Governo de Sua Magestade Fidelissima possa sustentar com justiça e dignidade a honra da bandeira Portugueza.

Deos guarde, &c.

Quartel do Governo no Ibo, 9 *de Agosto de* 1852.

(Assignado) JEROMINO ROMERO.

Illustrissimo Senhor Bernardino de Barros Coelho,
Dignissimo Sub-delegado do Procurador Regio.

Copia e Traducção da Carta do Capitão-Mór da Quissanga.

Illustrissimo Senhor Governador,

Dou parte á vossa Senhoria que esta manhãa appareceo perto da Quissanga cinco lanchas Inglezas, logo forão direito á bordo do pangaio de Buana Xaque Daly, e o largarão fogo até ficar destruida. Este pangaio, Senhor Governador, era novo, e construido na Quissanga; ainda não tinha feito viagem, e somente tinha abordo o mastro e cabos, porque oje tencionava o dono pôr mastro em çima para depois no Ibo tomar passaporte para Moçambique, para lá embandeirar. O commandante da lancha mandou queimar sem ter motivo nenhum, porque o pangaio não tinha abordo aguada, não tinha mantimento, e não tinha cousa alguma para que Inglez mandasse queimar. O dono ficou agora desgraçado, porque não tinha mais que seu pangaio, que custou muitos annos e muito dinheiro para fazer.

Quissanga, 6 *de Agosto de* 1852.

(Assignado) FALUME CHANDE BUN IMAMO.

Está conforme.

Quartel do Governo no Ibo, 9 *de Agosto de* 1852.

(Assignado) JERONIMO ROMERO.

Copia e Traducção da Carta do Capitão-Mór da Quissanga.

Illustrissimo Senhor Governador,

Participo que hontem depois que escrevi a primeira carta que la mandei, entrarão cinco lanchas Inglezas, e desembarcarão cem pessoas e tres officiaes; logo que desembarcarão, apprenderão-me, e dizem que "Voce é o Governador daqui até Ponta de Cabo Delgado, e Vocé que faz negocio;" e repentinamente puzerão-me no meio cincoenta pessoas adiante, e cincoenta otraz, e levarão-me athé a caza do Governador deste, e fallarão-me que eu os levasse á todas as cazas para lhes revistarem se achavão escravos; e finalmente cumpri as ordens e os levei a caza do Governador deste dahi: entrarão dentro da caza, e não virão pessoa alguma; sómente virão bico do pangaio que os ditos Inglezes puzerão fogo, e virão mais uma panella de arroz, e dizem que esta hé a feitoria dos escravos; e depois fallarão-me que os louvasse á todas as cazas como já tinha dito, e então passemos todas as cazas; mais eu estando preso, somente a minha caza não passarão. Depois de elles passarem revista todas as cazas, tornemos á caza do Governador e dalli deitarão fogo, porem os Mouros desta Quissanga estavão todos armados e não quizerão fazer nada aos Inglezes por que tinham pena de mim estar preso; alias hontem a Quissanga ficava destribuida. Eu lhes mostrei a bandeira de Dona Maria II, eu fallei-lhes que esta terra he da

Rainha de Portugal Dona Maria II; e então disserão que não conhecião Rainha nenhuma: "sómente conhecemos os nossos commandantes, e nos pomos fogo esta terra porque vendem escravas:" e perguntarão-me como se chamava o Governador do Ibo; respondi que chama Jeronimo Romero, Official da Marinha, e dizem-lhe que não conheciam; e então puzerão-me no meio, e levarão-me athé a praia, e logo officiaes mandarão seos marinheiros para as suas lanchas, restando dez pessoas e tres officiaes: outra vez puzerão-me no meio, e levarão-me proximo á sua lancha, e tendo só os tres saltado dentro de lancha, e deixando-me ficar, e finalmente derão-me licença que voltasse para minha caza. Somente puzerão fogo a caza deste Governador.

Quissanga, 8 *de Agosto de* 1852.

(Assignado) FALUME CHANDE BUN IMAMO,
Capitão-Mor da Quissanga.

Illustrissimo Senhor Jeronimo Romero,
Governador das Ilhas de Cabo Delgado.

Está conforme.

Quartel do Governo no Ibo, 9 *de Agosto de* 1852.

(Assignado) Jeronimo Romero.

Auto de Corpo de Delicto.

Anno do nascimento do Nosso Senhor Jesus Christo de 1852.

Aos dez dias do mez de Agosto do dito anno nestas terras de Quissanga, aonde veio o Juiz Ordinario o cidadão Pedro Antonio Gonçalves de Noronha, e eu, escrivão de seu cargo, e o Sub-delegado do Procurador Regio o cidadão Bernardo de Barros Coelho, e os testemunhas Faqui Boana Agy, e Muça Baçar, Madri Bunu Aiaia, e Aiaia Chande, estes nomeados, e competentemente intimados para servir de peritos, para proceder o presente Auto de Corpo de Delicto, contra todos quanto sejão cumplices em consequencia do officio do Illustrissimo Senhor Governador deste districto de nove do corrente mez, e accompanhadas de duas copias traduzidas da participação do Capitão-Mór dos Mouros de Quissanga, que a petição retro faz menção o qual contra a copia numero um, que no dia seis do mez do corrente de manhãa, apparecerão cinco lanchas da fragata Ingleza forão direitamente abordo do pangaio Portuguez de Boana Xaque Daly, subdito Portuguez, construida nestas praias de Quissanga, aonde encontrarão o seu mastro e cabos que o dono pertendia mandar á levantar para o dito pangaio hir neste Ibo tomar passaporte, e seguir o seu destino na capital de Moçambique, para se embandeirar; mas o commandante das ditas cinco lanchas mandou queimar, e a copia numero dous consta que no dia sete do corrente chegasse as ditas cinco lanchas Inglezas desembarcarão cem pessoas e tres officiaes, e prendera o Capitão-Mór dos Mouros destas terras, Falume Chande Bun Imamo, disserão que elle era Governador destas terras de Quissanga até Cabo Delgado; e que fazia o infame Trafico de Escravatura, e sercarão ao dito Capitão-Mór, e levarão em casa do Governador dos Mouros, entrarão dentro, donde encontrarão o beque do dito pangaio queimado, e uma panella de arroz, e deitarão fogo a dita caza, dizendo que era barração: tendo o dito Capitão-Mór mostrado a bandeira Portugueza, não quizerão reconhecer, dizendo não conhecião a Rainha de Portugal, nem o seu Governo, que elles podião pôr fogo todas terras, so conhecião o seu Almirante; e depois levarão o dito Capitão-Mór até a praia, disserão que podia recolher para sua caza. Elle Juiz deferio juramento aos ditos peritos, conforme o seu rito Mahometano. A vista das duas testemunhas, elles encarregou de avaluar o dito pangaio e a dita caza queimados por os Inglezes na conformidade da ordenação (livro quinto, titulo oitenta e seis, paragrafo primeiro), o qual juramento prometerão assim de cumprir, e disserão que o pangaio podia valer tres mil pezos, e a caza cem pezos; e concluido disserão que nada mais tinha á declarar debaixo de juramento que havião recebido, de que dou fe pelo ver e prezenciar. E logo passando á indagar elle Juiz, modo e circumstancias fora inqueridas as testemunhas Faqui Boana Agy Muça Baçar, como abaixo se segue.

Faqui Boana Agy, natural casado e morador nesta terra de Quissanga, que disse ter de idade trinta e oito annos, pouco mais ou menos; testemunha jurada conforme ao seu rito Mahometano, que lhe deferio o dito Juiz para dizer a verdade do que soubesse, e lhe fosse perguntado de costume disse nada. Sendo perguntado pelo contheudo do officio do Senhor Governador destas Ilhas, que foi lido e explicado: respondeu pelos primeiros artigos que o proprietario he subdito Portuguez, Boano Xaque Daly; pelo segundo respondeu que o pangaio era novo, e não tinha feito navegação para parte alguma; pelo terceiro respondeu que a construcção do dito pangaio foi feita nestas praias de Quissanga; pelo quarto respondeu que ouvia ao proprietario do dito pangaio que elle queria mandar para o capital de Moçambique sómente para ir embandeirar, com o passaporte legal do Senhor Governador destas Ilhas; pelo quinto respondeu que sabia, pouco mais ou menos, que o dito pangaio poda carregar cem tonelladas; pelo sexto respondeu que abordo do dito pangaio queimado não tinha mantimento de qualidade alguma, nem agoada, e nem indicio do infame Trafico de Escravatura; pelo setimo respondeu que a tripulação das lanchas Inglezas queimarão as casas do Governador dos Mouros, e motivo ignorava só sim encontrarão dentro das ditas casas o beque do dito pangaio, e uma panella de barro com arroz; pelo oitavo artigo respondeu que nenhum indicio tinha nas ditas casas queimadas do infame Trafico de Escravatura; pelo nono respondeu que he verdade que o commandante das lanchas da dita fragata não quiz reconhecer a bandeira Portugueza que o Capitão-Mór dos Mouros, Falume Chande Bun Imamo, lhe mostrou; pelo decimo respondeu que ouvira dizer o commandante das ditas lanchas Inglezas que não conhecião a Rainha de Portugal nem o Governo; pelo decimo-primeiro respondeu que ouvira dizer o dito commandante que podia pôr fogo á todas terras, porque elle não conhecia a pessoa alguma senão o seu Almirante; finalmente, tendo o dito Juiz perguntado ao dito depoente a distancia das terras de Quissanga para este Ibo, donde tinha fundeada a dita fragata Ingleza, respondeo que pouco mais ou menos era duas legoas, e mais não disse; e sendo-lhe lido o seu depoimento, disse estar conforme o que havia dito.

Muça Baçar, lingóa do estado, natural casado e morador nestas terras de Quissanga, que disse ter de idade quarenta e cinco annos, pouco mais ou menos; testemunha jurada conforme o seu rito Mahometano, que lhe deferio o dito Juiz para dizer a verdade do que soubesse, e lhe fosse perguntado de costume disse nada. Sendo perguntado pelo contheudo do officio do Senhor Governador destas Ilhas, que foi lido e explicado: respondeu pelos primeiros artigos que o proprietario é subdito Portuguez, Boana Xaque Daly; pelo segundo respondeu que o pangaio era novo, e não tinha feito navegação para parte alguma; pelo terceiro respondeu que a construcção do dito pangaio foi feita nestas praias de Quissanga; pelo quarto respondeo que ouvira ao proprietario do dito pangaio que elle queria mandar para o capital de Moçambique sómente para ir embandeirar, com passaporte legal do Senhor Governador destas Ilhas; pelo quinto respondeu que sabia, pouco mais ou menos, que o dito pangaio podia carregar cem tonelladas; pelo sexto respondeu que abordo do dito pangaio queimado não tinha mantimento de qualidade alguma, nem agoada, e nem indicio do infame Trafico de Escravatura; pelo setimo respondeu que he verdade a tripulação das lanchas Inglezas ter queimado a casa do Governador dos Mouros, o motivo ignorava só sim encontrarão dentro da casa o beque do dito pangaio queimado, e uma panella de barro com arroz; pelo oitavo respondeu que nenhum indicio tinha na dita casa; pelo nono respondeu que he verdade que o commandante das ditas lanchas não quiz reconhecer a bandeira Portugueza que o dito Capitão-Mór dos Mouros lhe mostrou; pelo decimo respondeu que o commandante dissera ao dito Capitão-Mór não conhecião a Rainha de Portugal, nem o Governo destas Ilhas; pelo decimo-primeiro respondeo que ouvira dizer ao dito commandante que podia incendiar todas terras, porque elle não conhecia a pessoa alguma senão o seu Almirante; finalmente, tendo o dito Juiz perguntado ao dito depoente a distancia das terras de Quissanga para este Ibo, donde tinha fundeada a dita fragata Ingleza, respondeu que pouco mais ou menos era duas legoas, e mais não disse: e sendo-lhe lido o seu depoimento, disse estar conforme o que havia dito.

Por esta forma elle Juiz dou por concluido o presente Auto do Corpo de Delicto, e se assignou aqui com o Sub-delegado peritos á testemunhas Abdalla Fissu Daly e Zacaria Chande, que presente estiverão no Acto do Procedimento do dito Auto, e as testemunhas Faqui Boana Agy e Muça Baçar, sendo-lhes

primeiro lido á todos este Auto por mim mesmo escrivão, que escrevi e assignei.

(Assignado) PEDRO ANTONIO GONCALVES DE NORONHA.
BERNARDINO BARROS COELHO,
Sub-delegado do Procurador Regio.
JOAO AFFONSO DE ATTAIDE.
ABADRI BUN AIAIA.
FAQUI BOANA AGY.
MUCA BACAR.
ABDALLA.
FISSU DALY.
ZACARIA CHANDE.
AIAIA CHANDE.

No mesmo dia mez era ut retro fiz estes Autos conclusos ao Juiz Ordinario, para o mesmo mandar o que fôr servido eu, João Affonço de Attaide, escrivão, que o escrevi.

Conclusão.—Procedo-se o Auto do Corpo Delicto, seja communicado ao Sub-delegado do Procurador Regio.

Quissanga, 10 *de Agosto de* 1852.

(Assignado) PEDRO ANTONIO GONCALVES DE NORONHA.

No mesmo dia mez era ut supra dei vista estes Autos ao Sub-delegado, e para constar passei esta em que se assignou junto comigo escrivão que escrevi.

(Assignado) BERNARDINO BARROS COELHO,
Sub-delegado do Procurador Regio.
JOAO AFFONSO DE ATTAIDE.

Anno de nascimento de Nosso Senhor Jesus Christo de mil oito centos e cincoenta e dous, ao nove dias do mez de Agosto do dito anno, nesta villa de San João de Ibo, e na residencia do Juiz Ordinario deste Julgado. O cidadão Pedro Antonio Gonçalves de Noronha, aonde eu escrivão do seu cargo vim ahi foi presente o Sub-delegado do Procurador Regio, o cidadão Bernardino Barros Coelho, do que dou fé, e disse que vinha á este Juiz para dar a sua querella, contra quaesquer pessoas que se acharem cumplices por direito ou indireitamente tivesse concorrido no crime mencionado na sua petição da querella do theor seguinte.

Illustrissimo Senhor,

Diz Bernardino de Barros Coelho, Sub-delegado do Procurador Regio, que elle apensa junto a este o Auto de Exame do Corpo de Delicto procedido nesse Juizo por bem de que pertende dar a sua querella contra qualquer pessôa que se acharem cumplices, para ser punido na conformidade da ley, para que offerece as testemunhas segundo o rol junto, e por tanto. Pede a vossa Senhoria o Senhor Juiz Ordinario seja servido de deferir - lhe como requer. Espera receberá mercé.

Ibo, 11 *de Agosto de* 1852.

(Assignado) BERNARDINO BARROS COELHO,
Sub-delegado do Procurador Regio.

Relação dos nomes das testemunhas nomeada para querella seguinte; Mafo Boana Amade, Naciri Chande, Aly Sufo, Dammi Daly, Mucassare Patte, Selemane Assane, Maçambuca Chande, Cha Patte, Juma Sahide, Abdalla Tifo Daly, Zacaria Chande, Thoacali Vulai, Thoane Imamo, Boana Made Jumaly, Boana Amade Falume, Aiaia Auiba, Inusso Simla, Biche Dal, Boana Fumo Auiba, Muça Antumane.

Ibo, 11 *de Agosto de* 1852.

(Assignado) BERNARDINO DE BARROS COELHO,
Sub-delegado do Procurador Regio.

Despacho.—Toma-se-lhe a querella.

Ibo, 11 *de Agosto de* 1852.

(Assignado) NORONHA.

E não se continho mais a dita petiçao e despacho, e declarou mesmo que dava esta querella sem odio, malicio, nem má voutade a pessoa alguma, somente a bem da sua justiça, pelo que elle Juiz a recebeu tudo quanto era de receber, de tudo mandou fazer o presente Auto que foi por mim, escrivão, lido a querellante perante elle Juiz, e se assignou com o dito querellante, comigo dito escrivão que escrevi.

(Assignado) PEDRO ANTONIO GONCALVES DE NORONHA.
BERNARDINO BARROS COELHO.
JOAO AFFONSO DE ATTAIDE.

Dou fé ter notificado cinco testemunhas.—Mafo Boana Amade, Abdalla Tifo, Zacaria Chande, Macaçare Patte, Ally Isufo, para comparecer na residencia do Juiz Ordinario amanhã pelas dez horas do referido dia, e para constar passei esta em que se assignarão junto comigo.

Ibo, 11 *de Agosto de* 1852.

(Assignado) JOAO AFFONSO DE ATTAIDE.
MAFO BOANA AMADE.
ABDALLA TIFO.
ZACARIA CHANDE.
MACACARE PATTE.
ALLY ISUFO.

Aos doze dias do mez de Agosto de mil oito centos e cincoenta e dous, nesta villa de San João de Ibo, e na residencia do Juiz Ordinario, e cidadão Pedro Antonio Gonçalves de Noronha, comparecerão as testemunhas notificados por mim dito escrivão, para dar principio a inquirição a requerimento do Sub-delegado de onze do corrente mez, cujos nomes, graduacões, patria, estado idades, e ditos como abaixo se segue. Em fé do que mandou o dito Juiz lavrar este termo de assentado, em que se assignou o dito Juiz, comigo dito escrivão que escrevi.

(Assignado) JOAO AFFONSO DE ATTAIDE.

Primeira testemunha.—Zacaria Chande, natural casado e morador em Quissanga, que disse ter de idade quarenta e cinco annos, pouco mais ou menos; testemunha jurada conforme o seu rito Mahometano, que lhe deferio o dito Juiz para dizer o verdade do que soubesse, e lhe fosse perguntado de costume disse nada. Sendo perguntado pelo contheudo do officio do Senhor Governador destas Ilhas, que foi lido e explicado: respondeu pelo primeiro artigo que o proprietario he subdito Portuguez, Boana Chaque Daly; pelo segundo respondeu que o pangaio era novo, e não tinha feito navegação para parte alguma; pelo terceiro respondeu que a construcção do dito pangaio foi feita nas praias de Quissanga; pelo quarto respondeu que ouvira ao proprietario do dito pangaio que elle queria mandar para o capital de Moçambique sómente para ir embandeirar, com o passaporte legal de Senhor Governador destas Ilhas; pelo quinto respondeu que sabia, pouco mais ou menos, que o dito pangaio podia carregar cem tonelladas; pelo sexto respondeu que abordo do dito pangaio não tinha mantimento de qualidade alguma, nem agoada, e nem indicio do infame Trafico de Escravatura; pelo setimo respondeu que a tripulação das lanchas Inglezas queimarão as casas do Governador dos Mouros, o motivo ignorava só sim encontrarão dentro das ditas casas o beque do dito pangaio, e uma panella de barro com arroz; pelo oitavo respondeu que nenhum indicio tinha nas ditas casas do infame Trafico de Escravos; pelo nono respondeu que he verdade que o commandante das lanchas da dita fragata não quiz reconhecer a bandeira Portugueza que o Capitão-Mór dos Mouros, Falume Chande Bun Imamo, lhe mostrou; pelo decimo respondeu que ouvira dizer pelo dito commandante que podia pôr fogo a todas terras, diz o commandante das ditas lanchas que não reconhecião a Rainha de Portugal nem o Governo; pelo decimo-primeiro respondeo que ouvira dizer o dito commandante que podia pôr fogo a todas terras, porque elle não conhecia pessoa alguma senão o seu Almirante; finalmente, tendo o dito Juiz perguntado o dito depoente a distancia de Quissanga para este Ibo, donde tinha fundeada a dita fragata Ingleza, respondeu que pouco mais ou menos era duas legoas, e mais não disse: e sendo-lhe lido o seu

depoimento, disse estar conforme o que havia dito, e se assignou com o dito Juiz, e comigo dito escrivão que escrevi.

(Assignado) PEDRO ANTONIO GONCALVES DE NORONHA.
JOAO AFFONSO DE ATTAIDE.
ZACARIA CHANDE.

Segunda testemunha.—Abdalla Tifo Daly, natural casado e morador em Quissanga, que disse ter de idade quarenta e quatro annos, pouco mais ou menos; testemunha jurada conforme o seu rito Mahometano, que lhe deferio o dito Juiz para dizer a verdade do que soubesse, e lhe fosse perguntado de costume disse nada. Sendo perguntado pelo conteudo do officio de Senhor Governador destas Ilhas, que foi lido e explicado: respondeu pelo artigo primeiro que o proprietario he subdito Portuguez, Boana Xaque Daly; pelo segundo respondeu que o pangaio era novo, e não tinha feito navegação para parte alguma; pelo terceiro respondeu que a construcção do dito pangaio foi feita nas praias de Quissanga; pelo quarto respondeu que ouvira ao proprietario do dito pangaio que elle queria mandar para o capital de Moçambique sómente par hir embandeirar, com o passaporte legal do Senhor Governador destas Ilhas; pelo quinto respondeu que sabia, pouco mais ou menos, que o dito pangaio podia carregar cem tonelladas; pelo sexto respondeu que abordo do dito pangaio não tinha mantimento de qualidade alguma, nem indicio do infame Trafico de Escravos; pelo setimo respondeu que a tripulação das lanchas Inglezas queimarão as casas do Governador dos Mouros, e motivo ignorava só sim encontrarão dentro das casas o beque do dito pangaio, e uma panella de barro com arroz; pelo oitavo respondeu que nenhum indicio tinha nas ditas casas do infame Trafico de Escravos; pelo nono respondeu que he verdade que o commandante das lanchas da dita fragata não quiz reconhecer a bandeira Portugueza que o Capitão-Mór dos Mouros, Falume Chande Bun Imamo, lhe mostrou; pelo decimo respondeu que ouvira dizer pelo dito commandante das ditas lanchas que não conhecião a Rainha de Portugal nem o Governo: pelo decimo-primeiro respondeu que ouvira dizer o dito commandante que podião pôr fogo a todas terras, porque elle não conhecia á ninguem senão o seu Almirante; finalmente, tendo o dito Juiz perguntado o dito depoente a distancia de Quissanga para este Ibo, donde tinha fundeada a dita fragata Ingleza, respondeu que pouco mais ou menos era duas legoas, e mais não disse: e sendo-lhe lido o seu depoimento, disse estar conforme o que havia dito, Re e assignou com o dito Juiz, e comigo dito escrivão que escrevi.

(Assignado) PEDRO ANTONIO GONCALVES DE NORONHA.
JOAO AFFONSO DE ATTAIDE.
ABDALLA TIFO DALY.

Terceira testemunha.—Macaçare Patte, natural casado e morador em Quissanga, que disse ter de idade vinte e sete annos, pouco mais ou menos; testemunha jurada conforme o seu rito Mahometano, que lhe deferio o dito Juiz para dizer a verdade do que soubesse, e lhe fosse perguntado de costume disse nada. Sendo apresentado pelo conteudo do officio do Senhor Governador destas Ilhas, que foi lido e explicado: respondeu pelo primeiro artigo que o proprietario he subdito Portuguez, Boana Xaque Daly; pelo segundo respondeu que o pangaio era novo, e não tinho feito navegação por parte alguma; pelo terceiro respondeu que a construcção do dito pangaio foi feita nas praias de Quissanga; pelo quarto respondeu que ouvira ao proprietario do dito pangaio que elle queria mandar para o capital de Moçambique somente hir embandeirar, com passaporte legal do Senhor Governador destas Ilhas; pelo quinto respondeu que sabia, pouco mais ou menos, que o dito pangaio podia carregar oitenta tonelladas: pelo sexto respondeu encontrarão abordo do dito pangaio o seu mastro e cabos que a dono pertendia levantar, e não tinha mantimento de qualidade alguma, nem indicio do infame Trafico de Escravos; pelo setimo respondeu que a tripulação das lanchas Inglezas queimarão as casas do Governador dos Mouros, e o motivo ignorava só sim encontrarão dentro das casas o beque do dito pangaio, e uma panella de barro com arroz; pelo oitavo respondeu que nenhum indicio tinha nas ditas casas do infame Trafico de Escravos; pelo nono respondeu que he verdade que o commandante das ditas lanchas não quizerão reconhecer a bandeira Portugueza que o Capitão-Mór dos Mouros, Falume Chande Bun Imamo, lhe mostrou; pelo decimo respondeu que ouvira dizer pelo dito com-

mandante das ditas lanchas que não conhecião a Rainha de Portugal, nem o Governo; pelo decimo-primeiro respondeu que ouvira dizer o dito commandante que podia pôr fogo a todas terras, visto elle não conhecia a pessoa alguma senão o seu Almirante; finalmente, tendo o dito Juiz perguntado o dito depoente a distancia de Quissanga para este Ibo, donde tinha fundeada a dita fragata, respondeu que pouco mais ou menos era duas legoas, e mais não disse: e sendo-lhe lido o seu depoimento, disse estar conforme o que havia dito, e se assignou com o dito Juiz, e comigo dito escrivão que escrevi.

(Assignado) PEDRO ANTONIO GONCALVES DE NORONHA
JOAO AFFONSO DE ATTAIDE.
MACACARE PATTE.

Quarta testemunha.—Mafo Boana Amade, natural casado e morador em Quissanga, que disse ter de idade vinte e sete annos, pouco mais ou menos; testemunha jurada conforme o seu rito Mahometano, que lhe deferio o dito Juiz para dizer a verdade do que soubesse, e lhe fosse perguntado de costume disse nada. Sendo perguntado pelo contheudo do officio do Illustrissimo Senhor Governador destas Ilhas, que foi lido e explicado: respondeu pelo primeiro artigo que o proprietario he subdito Portuguez, Boana Xaque Daly; pelo segundo respondeu que o pangaio ere novo, e não tinha feito navegação alguma; pelo terceiro respondeu que a construcção do dito pangaio foi feita nas praias de Quissanga; pelo quarto respondeu que ouvira ao proprietario do dito pangaio que queria mandar para o capital de Moçambique somente para hir embandeirar, com o passporte legal do Senhor Governador destas Ilhas; pelo quinto respondeu que sabia, pouco mais ou menos, que o dito pangaio podia carregar settenta e nove tonelladas; pelo sexto respondeu que tinha abordo do dito pangaio o mastro e cabos, e o dito proprietario pertendia levantar, e não tinha mantimento de qualidade alguma, nem qualquer cousa de indicio; pelo setimo respondeu que a tripulação das lanchas Inglezas queimarão as casas do Governador dos Mouros, e motivo ignorava, porque não tinha qualquer indicio do infame Trafico de Escravos; pelo oitavo respondeu sómente acharão nas ditas casas o beque do dito pangaio, e uma panella com arroz; pelo nono respondeu que he verdade que o commandante das ditas lanchas não quiz reconhecer a bandeira Portugueza que o Capitão-Mór dos Mouros lhe mostrou; pelo decimo respondeu que ouvira dizer pelo mesmo commandante das ditas lanchas que não conhecia a Rainha de Portugal, nem o Governo; pelo decimo-primeiro respondeu que ouvira dizer o dito commandante que podia pôr fogo a todas terras porque elle não conhecia á ninguem senão o seu Almirante; finalemente, tendo o dito Juiz perguntado o dito depoente a distancia de Quissanga para este Ibo, donde tinha fundeada a dita fragata, respondeu que pouco mais ou menos era uma legóa e meia, e mais não disse: e sendo-lhe lido o seu depoimento, disse estar conforme o que havia dito, e se assignou com o dito Juiz, e comigo dito escrivão que o escrevi.

(Assignado) PEDRO ANTONIO GONCALVES DE NORONHA.
JOAO AFFONSO ATTAIDE.
MAFO BOANA AMADE.

Quinta testemunha.—Aly Issufo, natural casado e morador nas terras de Quissanga, que disse ter de idade vinte-sete annos, pouco mais ou menos; testemunha jurada conforme o seu rito Mahometano, que lhe deferio o dito Juiz para dizer a verdade do que soubesse, e lhe fosse perguntado de costume disse nada. Sendo perguntado pelo contheudo do officio do Senhor Governador destas Ilhas, que foi lido e explicado: respondeu pelo primeiro artigo que o proprietario he subdito Portuguez, Boana Xaque Dally; pelo segundo respondeu que o pangaio era novo, e não tinha feito navegação para parte alguma; pelo terceiro respondeu que a construcção do dito pangaio foi feita nas praias de Quissanga; pelo quarto respondeu que ouvira ao dono do dito pangaio que elle queria mandar para o capital de Moçambique sómente ir embandeirar, com o passaporte legal do Illustrissimo Senhor Governador destas Ilhas; pelo quinto respondeu que sabia, pouco mais ou menos, que o dito pangaio podia carregar noventa tonelladas; pelo sexto respondeu que tinha abordo do dito pangaio, o mastro e cabos, que o dito proprietario pertendia levantar, e não tinha mantimento de qualidade alguma; pelo setimo respondeu que a tripulação das lanchas Inglezas queimarão as casas do Governador dos Mouros, e motivo ignorava dos ditos Inglezes queimar as ditas casas; pelo oitavo respondeu sómente acharão nas ditas casas o beque do dito pangaio

queimado, e uma panella de barro com arroz; pelo nono respondeu que he verdade que o commandante das ditas lanchas não quiz reconhecer a bandeira Portugueza que o Capitão-Mór dos Mouros lhe mostrou; pelo decimo respondeu que ouvira dizer o dito commandante das ditas lanchas que não conhecia a Rainha de Portugal, nem o Governo; pelo decimo-primeiro respondeu que ouvira dizer o dito commandante que podia pôr fogo a todas terras, visto que elle não conhecia a pessoa alguma senão o seu Almirante; finalmente, tendo o dito Juiz perguntado o dito depoente a distancia de Quissanga para este Ibo, donde tinha fundeada a dita fragata Ingleza, respondeu que pouco mais ou menos era duas legoas, e mais não disse: e sendo-lhe lido o seu depoimento, disse estar conforme o que havia dito, e se assignou com o dito Juiz, e comigo dito escrivão que o escrevi.

(Assignado) PEDRO ANTONIO GONCALVES DE NORONHA.
JOAO AFFONSO DE ATTAIDE.
ALY ISSUFO.

Certifico eu, Abaixo-assignado, ter notificado mais cinco testemunhas: Boana Made Jamal, Juma Saide, Cha Patte, Macipuca Chande, Dammi Daly, para comparecer amanhã na residencia do Juiz Ordinario pelas dez horas da manha do referido dia, para constar passei esta em que se assignarão junto comigo.

Ibo, 12 *de Agosto de* 1852.

(Assignado) JOAO AFFONSO DE ATTAIDE.
BOANA MADE JAMAL.
JUMA SAIDE.
DAMMI DALY.
CHA PATTE.
MACIPUCA CHANDE.

Termo de Assentado.

Aos trese dias do mez de Agosto de mil oito centos e cincoenta e dous, nesta villa de San João de Ibo, na residencia do Juiz Ordinario, o cidadão Pedro Antonio Gonçalves de Noronha, comparecerão as testemunhas para continuar a inquirição por bem do que se mandou o dito Juiz lavrar este termo de assentado; e se assignou comigo escrivão que o escrevi.

(Assignado) PEDRO ANTONIO GONCALVES DE NORONHA.
JOAO AFFONSO DE ATTAIDE.

Sexta testemunha.—Boana Made Jamal, natural, morador e casado nas terras de Quissanga, que disse ter de idade cincoenta annos, pouco mais ou menos; testemunha jurada conforme o seu rito Mahometano, que lhe deferio o dito Juiz para dizer a verdade do que soubesse, e lhe fosse perguntado de costume disse nada. Sendo perguntado pelo contheudo do officio do Illustrissimo Senhor Governador destas Ilhas, que foi lido e explicado: respondeu pelo primeiro artigo que o proprietario he subdito Portuguez, Boana Xaque Daly; pelo segundo respondeu que o dito pangaio era novo, e não tinha feito navegação para parte alguma; pelo terceiro respondeu que a construcção do dito pangaio foi feita nas praias de Quissanga; pelo quarto que ouvirá o dono do dito pangaio que queria mandar para o capital de Moçambique sómente para ir embandeirar, com o passaporte legal do Senhor Governador; pelo quinto respondeu que sabia, pouco mais ou menos, que o dito pangaio podia carregar cem tonelladas; pelo sexto respondeu que tinha abordo do dito pangaio o mastro e cabos, que o dito proprietario pertendia levantar, e não tinha mantimento de qualidade alguma, nem qualquer indicio; pelo setimo respondeu que a tripulação das lanchas Inglezas queimarão as casas do Governador dos Mouros, e motivo ignorava; pelo oitavo respondeo que sabia tão sómente que acharão nas ditas casas o beque do dito pangaio queimado, e uma panella com arroz; pelo nono respondeu que he verdade que o commandante das lanchas da dita frigata não quiz reconhecer a bandeira Portugueza que o Capitão-Mór lhe mostrou; pelo decimo respondeu que ouvira dizer pelo dito commandante das ditas lanchas que não conhecia a Rainha de Portugal, nem o Governo; pelo decimo-primeiro respondeu que ouvirá dizer o dito commandante que podia pôr fogo a todas terras, porque elle não conhecia ninguem senão o seu Almirante; finalmente, tendo o dito Juiz perguntado o dito depoente a distancia de Quissanga para este Ibo, donde tinha fundeada a dita fragata, respondeu que pouco mais ou menos era duas legoas e

meia, e mais não disse: e sendo-lhe lido o seu depoimento, disse estar conforme o que havia dito, e se assignou com o dito Juiz, e comigo o dito escrivão que escrevi.

(Assignado) PEDRO ANTONIO GONCALVES DE NORONHA.
JOAO AFFONSO DE ATTAIDE.
BOANA MADE JAMAL.

Setimo testemunha.—Cha Patte, natural casado e morador em Quissanga, que disse ter de idade trinta annos, pouco mais ou menos; testemunha jurada conforme o seu rito Mahometano, que lhe deferio o dito Juiz para dizer a verdade do que soubesse, e lhe fosse perguntado de costume disse nada. Sendo perguntado pelo contheudo do officio do Illustrissimo Senhor Governador desta Ilhas, que foi lido e explicado: respondeu pelo primeiro artigo que o proprietario do pangaio queimado he subdito Portuguez, Boana Xaque Daly; pelo segundo respondeu que o dito pangaio era novo, e não tinha feito navegação para parte alguma; pelo terceiro respondeu que a construcção do dito pangaio foi feita nas praias de Quissanga; pelo quarto respondeu que ouvira o dono do dito pangaio que elle queria mandar para Moçambique sómente hir embandeirar, com o passaporte legal do Senhor Governador destas Ilhas; pelo quinto respondeu que sabia, pouco mais ou menos, que o dito pangaio podia carregar noventa tonelladas; pelo sexto respondeu que tinha abordo do dito pangaio o mastro, cabos, e duas fateixas de ferro, o dito proprietario queria levantar o dito mastro, e não tinha mantimento de qualidade alguma, nem qualquer indicio; pelo setimo respondeu que a tripulação das lanchas Inglezas queimarão as casas do Governador dos Mouros, e motivo ignorava; pelo oitavo respondeu que sabia tão sómente que acharão nas ditas cazas o beque do dito pangaio, e uma panella de barro com arroz; pelo nono respondeu que era verdade que o commandante das ditas lanchas não quiz reconhecer a bandeira Portugueza que o Capitão-Mór dos Mouros, Falume Chande Bun Imamo, lhe mostrou; pelo decimo respondeu que ouvira dizer pelo mesmo commandante das ditas lanchas que não conhecia a Rainha de Portugal, nem o Governo; pelo decimo-primeiro respondeu que ouvira dizer o dito commandante que podia pôr fogo a todas terras, porque elle não conhecia a pessoa alguma senão o seu Almirante; finalmente, tendo o dito Juiz perguntado o dito depoente a distancia de Quissanga para este Ibo, donde tinha fundeada a dita fragata Ingleza, respondeu que pouco mais ou menos era legoa e meia, e mais não disse: e sendo-lhe lido o seu depoimento, disse estar conforme o que havia dito, e se assignou com o dito Juiz, e comigo escrivão que o escrevi.

(Assignado) PEDRO ANTONIO GONCALVES DE NORONHA.
JOAO AFFONSO DE ATTAIDE.
CHA PATTE.

Oitava testemunha.—Juma Saide, natural solteiro e morador nas terras de Quissanga, que disse ter de idade vinte-cinco annos, pouco mais ou menos; testemunha jurada conforme o seu rito Mahometano, que lhe deferio o dito Juiz para dizer a verdade do que soubesse, e lhe fosse perguntado de costume disse nada. Sendo perguntado pelo contheudo do officio do Senhor Governador destas Ilhas, que foi lido e explicado: pelo primeiro artigo respondeu que o proprietario do pangaio he subdito Portuguez, Boana Xaque Daly; pelo segundo respondeu era novo, e não tinha feito navegação para parte alguma; pelo terceiro respondeu que a construcção do dito pangaio foi feita nas praias de Quissanga; pelo quarto respondeu que ouvira o proprietario do dito pangaio que elle queria mandar á Moçambique somente para hir embandeirar, com o passaporte legal do Senhor Governador; pelo quinto respondeu que sabia, pouco mais ou menos, que o dito pangaio podia carregar noventa e seis tonelladas; pelo sexto respondeu que tinha abordo do dito pangaio o mastro e cabos, que o dono pertendia levantar, e não tinha mantimento de qualidade alguma, nem qualquer indicio; pelo setimo respondeu que a tripulação das lanchas Inglezas queimarão as casas do Governador dos Mouros, e motivo ignorava; pelo oitavo respondeu que sabia sómente que acharão nas ditas casas o beque do dito pangaio, e uma panella de barro com arroz; pelo nono respondeu que he verdade que o commandante das ditas lanchas não quiz reconhecer a bandeira Portugueza que o Capitão-Mór dos Mouros lhe mostrou; pelo decimo respondeu que ouvira dizer pelo dito commandante das ditas lanchas não conhecia a Rainha de Portugal, nem o Governo;

pelo decimo-primeiro respondeu que ouvira dizer o dito commandante que podia pôr fogo a todas terras, porque elle não conhecia a pessoa alguma senão o seu Almirante; finalmente, tendo o dito Juiz perguntado o dito depoente a distancia de Quissanga para este Ibo, donde tinha fundeada a dita fragata Ingleza, respondeu que pouco mais ou menos duas legoas, e mais não disse: e sendo-lhe lido o seu depoimento, disse estar conforme o que havia dito, e se assignou com o dito Juiz, e comigo dito escrivão que o escrevi.

(Assignado) PEDRO ANTONIO GONCALVES DE NORONHA.
JOAO AFFONSO DE ATTAIDE.
JUMA SAIDE.

Nona testemunha.—Dammi Daly, natural solteiro e morador nas terras de Quissanga, que disse ter de idade vinte e seis annos, pouco mais ou menos; testemunha jurada conforme o seu rito Mahometano, que lhe deferio o dito Juiz para dizer a verdade do que soubesse, e lhe fosse perguntado de costume disse nada. Sendo perguntado pelo contheudo do officio do Senhor Governador destas Ilhas, que foi lido e explicado: respondeu pelos primeiros artigos que o proprietario he subdito Portuguez, Boana Xaque Daly; pelo segundo respondeu que o pangaio era novo, e não tinha feito navegação para parte alguma; pelo terceiro respondeu que a construcção do dito pangaio foi feita nas praias de Quissanga; pelo quarto respondeu que ouvira ao proprietario do dito pangaio que elle queria mandar para o Moçambique sómente para ir embandeirar, com o passaporte legal do Illustrissimo Senhor Governador; pelo quinto respondeu que sabia, pouco mais ou menos, podia carregar o dito pangaio noventa e quatro tonelladas; pelo sexto respondeu que tinha abordo do dito pangaio o mastro, e cabos, e tres fateixas de ferro, que o dono pertendia levantar, e não tinha mantimento de qualidade alguma, e nem qualquer indicio; pelo setimo respondeu que a tripulação das lanchas Inglezas queimarão as casas do Governador dos Mouros, e motivo ignorava; pelo oitavo respondeu que sabia tão sómente que acharão nas ditas casas o beque do dito pangaio, e uma panella de barro com arroz; pelo nono respondeu que he verdade que o commandante das ditas lanchas não quiz reconhecer a bandeira Portugueza que o Capitão-Mór dos Mouros lhe mostrou; pelo decimo respondeu que ouvira dizer pelo dito commandante das ditas lanchas não conhecia a Rainha de Portugal, nem o Governo; pelo decimo-primeiro respondeu que ouvira dizer pelo mesmo commandante que podia pôr fogo a todas terras, que elle não conhecia ninguem senão o seu Almirante; finalmente, tendo o dito Juiz perguntado o dito depoente a distancia de Quissanga para este Ibo, donde tinha fundeada a dita fragata, respondeu que pouco mais ou menos duas legoas, e mais não disse: e sendo-lhe lido o seu depoimento, disse estar conforme o que havia dito, e se assignou com o dito Juiz, e comigo dito escrivão que o escrevi.

(Assignado) PEDRO ANTONIO GONCALVES DE NORONHA.
JOAO AFFONSO DE ATTAIDE.
DAMMI DALY.

Decima testemunha.—Macipuça Chande, natural casado e morador nas terras de Quissanga, que disse ter de idade vinte-e-sete annos, pouco mais ou menos; testemunha jurada conforme o seu rito Mahometano, que lhe referio o dito Juiz para dizer a verdade do que soubesse, e elle fosse perguntado de costume disse nada. Sendo perguntado pelo conteudo do officio do Illustrissimo Senhor Governador destas Ilhas, que foi lido e explicado: respondeu pelo primeiro artigo que o proprietario he subdito Portuguez, Boano Xaque Daly; pelo segundo respondeu que o dito pangaio era novo, e não tinha feito navegação para parte alguma; pelo terceiro respondeu que o construcção do dito pangaio foi feita nas praias de Quissanga; pelo quarto respondeu que ouvira ao dito proprietario do dito pangaio que elle queria mandar para o capital de Moçambique sómente para hir embandeirar, com o passaporte legal do Senhor Governador destas Ilhas; pelo quinto respondeu sabia, pouco mais ou menos, que o dito podia carregar oitenta-e-sete tonelladas; pelo sexto respondeu que tinha abordo o dito pangaio o mastro, cabos e duas fateixas de ferro, que o dono pertendia levantar o dito mastro, e não tinha mantimento de qualidade alguma, nem qualquer indicio; pelo setimo respondeu que a tripulação das lanchas Inglezas queimarão as casas do Governador dos Mouros, e motivo ignorava; pelo oitavo

respondeu que sabia tão sómente que acharão dentro das ditas casas o beque do dito pangaio, e uma panella de barro com arroz; pelo nono respondeu que he verdade que o commandante das ditas lanchas não quiz reconhecer a bandeira Portugueza que o Capitão-Mór dos Mouros lhe mostrou; pelo decimo respondeu que ouvira dizer pelo dito commandante das ditas lanchas não conhecia a Rainha de Portugal, nem o Governo; pelo decimo-primeiro respondeu que ouvira dizer o dito commandante que podia pôr fogo a todas terras, porque elle não conhecia a pessoa qualquer senão o seu Almirante; finalmente, tendo o dito Juiz perguntado o dito depoente a distancia de Quissanga para este Ibo, e donde tinha fundeada a dita fragata, respondeu que pouco mais ou menos era duas legoas, e mais não disse: e sendo-lhe lido o seu depoimento, disse estar conforme o que havia dito, e se assignou com o dito Juiz, e comigo dito escrivão que o escrevi.

(Assignado) PEDRO ANTONIO GONCALVES DE NORONHA.
JOAO AFFONSO DE ATTAIDE.
MACIPUCA CHANDE.

Por ter concluido dez testemunhas mandou o dito Juiz lavrar este termo de encerramento, em que se assignou comigo dito escrivão o que escrevi.

(Assignado) PEDRO ANTONIO GONCALVES DE NORONHA.
JOAO AFFONSO DE ATTAIDE.

E com os depoimentos de dez testemunhas fiz estes Autos concluzos ao Juiz Ordinario, para o mesmo mandar o que foi servido.

Eu, João Affonso de Attaide, escrivão, que o escrevi.

Ibo, 13 *de Agosto de* 1852.

Conclusos.—Até aqui as testemunhas perguntadas, e as copias dos documentos que ficão juntas a este, julgo achar se cumplice os officiaes e marinheiros de tripulação das cinco lanchas que tinhão desembarcado da fragata Ingleza, por ter queimado o pangaio e as casas do subdito Portuguez, Governador dos Mouros de Quissanga. O dito crime he prohibido pela lei ordinação, livro quinto, titulo oitenta-e-seis, paragrafo um. O escrivão deste Juiz siga os termos legaes de processo, e continue a inquirição das testemunhas até preencher o numero legal.

Ibo, 13 *de Agosto de* 1852.

(Assignado) PEDRO ANTONIO GONCALVES DE NORONHA,
Juiz Ordinario.

Certifico e dou fé ter intimados mais cinco testemunhas: Boana Amade Falume, Aiaia Auiba, Tuaire Imamo, Boana Fumo Auiba, Bechi Daly, para compareção amanhã quatorze do mez corrente pelas dez horas da manhã na residencia do Juiz Ordinario deste Julgado destas Ilhas, a fim de deporem ao que forem perguntados com as penas de lei, e do como se derão por notificados passei a presente que elles assignarão comigo que dou fé serem proprios.

Ibo, 13 *de Agosto de* 1852.

(Assignado) JOAO AFFONSO DE ATTAIDE.
BOANA AMADE FALUME.
AIAIA AUIBA.
TUAIRE IMAMO.
BOANA FUMO AUIBA.
BECHI DALY.

Termo de Assentado.

Aos quartorze dias do mez de Agosto de mil oito centos e cincoenta-e-dous, nesta villa da San João de Ibo, e na residencia do Juiz Ordinario, o cidadão Pedro Antonio Gonçalves de Noronha, comparecerão as testemunhas para continuar com a inquirição por bem do que mandou o dito Juiz lavrar este termo de assentado, e se assignou comigo escrivão que o escrevi.

(Assignado) PEDRO ANTONIO GONCALVES DE NORONHA.
JOAO AFFONSO DE ATTAIDE.

Decima-primeira testemunha.—Boana Amade Falume, natural casado e morador em Quissanga, que disse ter de idade trinta e tres annos, pouco mais ou

menos; testemunha jurada conforme o seu rito Mahometano, que lhe deferio o dito Juiz para dizer a verdade do que soubesse, e lhe fosse perguntado de costume disse nada. Sendo perguntado pelo contheudo do officio do Illustrissimo Senhor Governador destas Ilhas, que foi lido e explicado: respondeu pelo primeiro artigo que o proprietario he subdito Portuguez, Boana Xaque Daly; pelo segundo respondeu que o pangaio era novo, e não tinha feito navegação para parte alguma; pelo terceiro respondeu que a construcção do dito pangaio foi feita nas praias de Quissanga; pelo quarto respondeu que ouvira ao proprietario do dito pangaio que pertendia mandar para o capital de Moçambique sómente para ir embandeirar, com o passaporte legal do Senhor Governador; pelo quinto respondeu que sabia, pouco mais ou menos, que o dito pangaio podia carregar noventa e tres tonelladas; pelo sexto respondeu que abordo do dito pangaio não tinha mantimento de qualidade alguma, nem quer indicio; pelo setimo respondeu que a tripulação das lanchas Inglezas queimarão as casas do Governador dos Mouros, e motivo ignorava; pelo oitavo respondeu sómente encontrarão dentro das casas o beque do dito pangaio, e uma panella de barro com arroz; pelo nono respondeu que ouvira dizer pelo dito commandante das ditas lanchas não quiz reconhecer a bandeira Portugueza que o Capitão-Mór dos Mouros lhe mostrou; pelo decimo respondeu que ouvira dizer pelo dito commandante das ditas lanchas não conhecia a Rainha de Portugal, nem o Governo; pelo decimo-primeiro respondeu que ouvira dizer pelo dito commandante que podia pôr fogo a todas terras porque não conhecia a qualquer pessoa senão o seu Almirante; finalmente, tendo o dito Juiz perguntado o dito depoente a distancia de Quissanga para este Ibo, e donde tinha fundeada a dita fragata, respondeu que pouco mais ou menos era duas legoas, e mais não disse: e sendo-lhe lido o seu depoimento, disse estar conforme o que havia dito, e se assignou com o dito Juiz e comigo dito escrivão que o escrevi.

(Assignado) PEDRO ANTONIO GONCALVES DE NORONHA.
JOAO AFFONSO DE ATTAIDE.
BOANA AMADE FALUME.

Decima-segunda testemunha.—Bechi Daly, natural casado e morador em Quissanga, que disse ter de idade trinta e dous annos, pouco mais ou menos; testemunha jurada conforme o seu rito Mahometano, que lhe deferio o dito Juiz para dizer a verdade do que soubesse, e lhe fosse perguntado de costume disse nada. Sendo perguntado pelo contheudo do officio do Illustrissimo Senhor Governador destas Ilhas, que foi lido e explicado: respondeu pelo primeiro artigo que o proprietario he subdito Portuguez, Boana Xaque Daly; pelo segundo respondeu que o pangaio era novo, e não tinha feito navegação para parte alguma; pelo terceiro respondeu que a construcção do dito pangaio foi feita nas praias de Quissanga; pelo quarto respondeu que ouvira ao proprietario do dito pangaio que elle queria mandar para Moçambique sómente para ir embandeirar, com o passaporte legal do Senhor Governador; pelo quinto respondeu que sabia, pouco mais ou menos, que o dito pangaio podia carregar cem tonelladas; pelo sexto respondeu que tinha abordo do dito pangaio o mastro e cabos, e tres fateixas de ferro, que o dono pertendia levantar o dito mastro, e não tinha mantimento de qualidade alguma, e nem qualquer indicio; pelo setimo respondeu que a tripulação das lanchas Inglezas queimarão as casas do Governador dos Mouros, e motivo ignorava; pelo oitavo respondeu que sabia tão sómente que acharão nas ditas casas o beque do dito pangaio queimado, e uma panella com arroz; pelo nono respondeu que he verdade que o commandante das ditas lanchas não quiz reconhecer a bandeira Portugueza que o Capitão-Mór dos Mouros, Falume Chande Bun Imamo, lhe mostrou; pelo decimo respondeu que ouvira dizer que o dito commandante das ditas lanchas não conhecia a Rainha de Portugal, nem o Governo; pelo decimo-primeiro respondeu que he verdade que o dito commandante podia pôr fogo a todas terras, porque não conhecia a qualquer pessoa senão o seu Almirante; finalmente, tendo o dito Juiz perguntado o dito depoente a distancia de Quissanga para este Ibo, e donde tinha fundeada a dita fragata, respondeu que pouco mais ou menos era duas legoas, e mais não disse: e sendo-lhe lido seu depoimento, disse estar conforme o que havia dito, e se assignou com o dito Juiz e comigo dito escrivão que o escrevi.

(Assignado) PEDRO ANTONIO GONCALVES DE NORONHA.
JOAO AFFONSO DE ATTAIDE.
BECHI DALY.

Decima-terceira testemunha.—Tuaire Imamo, natural casado e morador em Quissanga, que disse ter de idade quarenta e quatro annos, pouco mais ou menos; testemunha jurada conforme o seu rito Mahometano, que lhe deferio o dito Juiz para dizer a verdade do que soubesse, e lhe fosse perguntado de costume disse nada. Sendo-lhe perguntado pelo contheudo do officio do Senhor Governador destas Ilhas, que foi lido e explicado: respondeu pelo primeiro artigo que o proprietario he subdito Portuguez, Boana Xaque Daly; pelo segundo respondeu que o pangaio era novo, e não tinha feito navegação em qualquer parte; pelo terceira respondeu que a construcção do dito pangaio foi feita nas praias de Quissanga; pelo quarto respondeu que ouvira o dito proprietario que pertendia mandar para o capital de Moçambique para ir embandeirar, com o passaporte legal do Illustrissimo Senhor Governador destas Ilhas; pelo quinto respondeu que pouco mais ou menos sabia que o dito pangaio podia carregar cento e cinco tonelladas; pelo sexto respondeu que tinha abordo do dito pangaio queimado o mastro, cabos, e duas fateixas de ferro, que o dono pertendia levantar o dito mastro, e não tinha mantimento de qualidade alguma, e nem qualquer indicio; pelo setimo respondeu que a tripulação das lanchas Inglezas queimarão as casas do Governador dos Mouros, e motivo ignorava; pelo oitavo respondeu que sabia tão sómente que acharão dentro das ditas casas o beque do dito pangaio queimado, e uma panella com arroz; pelo nono respondeu que he verdade que o dito commandante das ditas lanchas não quiz reconhecer a bandeira Portugueza que o Capitão-Mór dos Mouros lhe mostrou; pelo decimo respondeu que he muito verdade que o dito commandante das ditas lanchas disse publicamente que não conhecia a Rainha de Portugal, nem o Governo; pelo decimo-primeiro respondeu que ouvira o dito depoente pela boca do dito commandante que tinha poder de pôr fogo todas estas terras, que não conhecia a pessoa alguma senão o seu Almirante; finalmente, tendo o dito Juiz perguntado o dito depoente a distancia de Quissanga para este Ibo, donde tinha fundeada a dita fragata Ingleza, respondeu que pouco mais ou menos era duas legoas, mais não disse: e sendo-lhe lido o seu depoimento, disse estar conforme o que havia dito, e se assignou com dito Juiz e comigo dito escrivão que escrevi.

(Assignado) PEDRO ANTONIO GONCALVES DE NORONHA.
JOAO AFFONSO DE ATTAIDE.
TUAIRE IMAMO.

Decima-quarta testemunha.—Aiaia Auiba, natural casado e morador em Quissanga, que disse ter de idade trinta e um annos, pouco mais ou menos; testemunha jurada conforme o seu rito Mahometano, que lhe deferio o dito Juiz para dizer a verdade do que soubesse, e lhe fosse perguntado de costume disse nada. Sendo perguntado pelo contheudo do officio do Illustrissimo Senhor Governador, que foi lido e explicado: respondeu que o proprietario he subdito Portuguez, Boana Xaque Daly; pelo segundo respondeu que o dito pangaio era novo, e não tinha feito navegação para parte alguma; pelo terceiro respondeu que a construcção do dito pangaio foi feita nas praias de Quissanga; pelo quarto respondeu que ouvira o proprietario do dito pangaio que elle queria mandar para o capital de Moçambique sómente para ir embandeirar, com o passaporte legal do Illustrissimo Senhor Governador destas Ilhas; pelo quinto respondeu que sabia, pouco mais ou menos, que o dito pangaio podia carregar cem tonelladas; pelo sexto respondeu que tinha abordo do dito pangaio o mastro real, cabos, e duas fateixas de ferro, que o dono pertendia levantar o dito mastro, e não tinha mantimento de qualidade alguma, e nem qualquer indicio do infame Trafico de Escravatura; pelo setimo respondeu que a tripulação das ditas lanchas Inglezas queimarão as casas do Governador dos Mouros, e motivo ignorava; pelo oitavo respondeu que sabia tão sómente que acharão dentro das ditas casas o beque do dito pangaio queimado, e uma panella com arroz; pelo nono respondeu que he verdade o commandante das ditas lanchas não quiz reconhecer a bandeira Portugueza que o Capitão dos Mouros lhe mostrou; pelo decimo respondeu que é muito verdade que o dito commandante das ditas lanchas disse publicamente que não conhecia a Rainha de Portugal, nem o Governo; pelo decimo-primeiro respondeu que ouvira o dito depoente pela boca do dito commandante que tinha poder de pôr fogo todas estas terras, que não conhecia a pessoa alguma senão o seu Almirante; finalmente, tendo o dito Juiz perguntado o dito depoente a distancia de Quissanga para este Ibo, donde tinha fundeada a dita fragata Ingleza, respondeu pouco mais ou menos era duas legoas, e mais não disse: e

sendo-lhe lido o seu depoimento, disse estar conforme o que havia dito, e assignou com o dito Juiz e comigo o dito escrivão que o escrevi.

(Assignado) PEDRO ANTONIO GONCALVES DE NORONHA.
JOAO AFFONSO DE ATTAIDE.
AIAIA AUIBA.

Decima-quinta testemunha.—Boana Fumo Auiba, natural e morador e casado em Quissanga, que disse ter de idade trinta e oito annos, pouco mais ou menos; testemunha jurada conforme o seu rito Mahometano, que lhe deferio o dito Juiz para dizer a verdade do que soubesse, e lhe fosse perguntado de costume disse nada. Sendo perguntado pelo contheudo do officio do Illustrissimo Senhor Governador destas Ilhas, que foi lido e explicado: respondeu pelo primeiro artigo que o proprietario he subdito Portuguez, Boana Xaque Daly; pelo segundo respondeu que o pangaio era novo, e não tinha feito navegação para parte alguma; pelo terceiro respondeu que a construcção do dito pangaio foi feita nas praias de Quissanga; pelo quarto respondeu que ouvira o dito proprietario do dito pangaio que pertendia mandar para o capital de Moçambique sómente para ir embandeirar, com o passaporte legal do Illustrissimo Senhor Governador; pelo quinto respondeu que sabia, pouco mais ou menos, que o dito pangaio podia carregar noventa e duas tonelladas; pelo sexto respondeu que tinha abordo do dito pangaio o mastro real, cabos, e duas fateixas de ferro, que o dono pertendia levantar o dito mastro, e não tinha mantimento de qualidade alguma, e nem qualquer indicio; pelo setimo respondeu que o tripulação das lanchas Inglezas queimarão as casas do Governador dos Mouros, e motivo ignorava; pelo oitavo respondeu que sabia tão sómente que acharão dentro das ditas casas o beque do pangaio, e uma panella com arroz; pelo nono respondeu que é verdade que o commandante das ditas lanchas não quiz reconhecer a bandeira Portugueza que o Capitão-Mór dos Mouros lhe mostrou; pelo decimo respondeu que é muito verdade que o commandante das ditas lanchas disse publicamente que não conhecia a Rainha de Portugal, nem o Governo; pelo decimo-primeiro respondeu que ouvira ao dito depoente pela beca do dito commandante que elle tinha poder de pôr fogo todas estas terras, que elle não conhecia a pessoa alguma senão o seu Almirante: finalmente, tendo o dito Juiz perguntado o dito depoente a distancia de Quissanga para este Ibo, donde tinha fundeada a dita fragata Ingleza, respondeu que pouco mais ou menos era duas legoas, e mais não disse: e sendo-lhe lido o seu depoimento, disse estar conforme o que havia dito, e se assignou com dito Juiz, e comigo dito escrivão que o escrevi.

(Assignado) PEDRO ANTONIO GONCALVES DE NORONHA.
JOAO AFFONSO DE ATTAIDE.
BOANA FUMO AUIBA.

Certifico e dou fé intimados mais cinco testemunhas: Muça Bun Simla, Alluça Antumano, Theocaly Volay, Nasciri Aruna, e Selimane Boana, para que compareção amanhã dia desaseis do mez corrente pelas dez horas da manhaã na residencia deste Julgado, e para constar passei esta em que se assignarão comigo escrivão que escrevi.

Ibo, 15 *de Agosto de* 1852.

(Assignado) JOAO AFFONSO DE ATTAIDE.
INUSSO BUN SIMLA.
ALLUCA ANTUMANO.
THEOCALY VOLAY.
NASCIRI ARUNA.
SELIMANE BOANA.

Termo de Assentado.

Aos desaseis dias do mez de Agosto de mil oito centos e cincoenta e dous, nesta villa de San João de Ibo, na residencia do Juiz Ordinario, o cidadão Pedro Antonio Gonçalves de Noronha, compareceraõ as testemunhas para continuar com a inquiriçaõ por bem do que se fez este termo de assentado, e assignou comigo escrivão que o escrevi.

(Assignado) PEDRO ANTONIO GONCALVES DE NORONHA.
JOAO AFFONSO DE ATTAIDE.

Decima-sexta testemunha.—Inusso Boana Simla, natural e morador e

casado na Quissanga, que disse ter de idade trinta e um annos, pouco mais ou menos; testemunha jurada conforme o seu rito Mahometano, que lhe deferio o dito Juiz para dizer a verdade do que soubesse, e lhe fosse perguntado de costume disse nada. Sendo perguntado pelo contheudo do officio do Senhor Governador destas Ilhas, que foi lido e explicado: respondeu pelo primeiro artigo que o proprietario he subdito Portuguez, Boana Xaque Daly; pelo segundo respondeo que o pangaio era novo, e não tinha feito navegação para parte alguma; pelo terceiro respondeu que a construcção do dito pangaio foi feita nas praias de Quissanga; pelo quarto respondeu que ouvira ao dito proprietario que pertendia mandar o dito pangaio para Moçambique, com o passaporte legal do Illustrissimo Senhor Governador; pelo quinto respondeu que sabia, pouco mais ou menos, que o dito pangaio podia carregar setenta e nove tonelladas; pelo sexto respondeu que abordo do dito pangaio não tinha mantimento de qualidade alguma, e nem qualquer indicio do infame Trafico de Escravos; pelo setimo respondeo que a tripulação das lanchas Inglezas queimarão as casas do Governador dos Mouros, e motivo ignorava; pelo oitavo respondeo que sabia sómente encontrar o beque do pangaio, e uma panella de barro com arroz; pelo nono respondeu que he verdade que o commandante das ditas lanchas não quiz reconhecer a bandeira Portugueza que o Capitão-Mór dos Mouros lhe mostrou; pelo decimo respondeu que ouvira pelo dito commandante das ditas lanchas que não conhecia a Rainha de Portugal, nem o Governo; pelo decimo-primeiro respondeu que he verdade que o dito commandante disse publicamente que tinha poder de pôr fogo todas estas terras, e não conhecia a qualquer pessoa senão o seu Almirante; finalmente, tendo o dito Juiz perguntado o dito depoente a distancia de Quissanga para este Ibo, donde tinha fundeada a dita fragata, respondeu que pouco mais ou menos era duas legoas, e mais não disse: e sendo-lhe lido o seu depoimento, disse estar conforme o que havia dito, e se assignou com o dito escrivão que o escrevi.

(Assignado) PEDRO ANTONIO GONCALVES DE NORONHA.
JOAO AFFONSO DE ATTAIDE.
INUSSO SIMLA.

Decima-setima testemunha.—Muça Antumano, natural casado e morador nas terras de Quissanga, que disse ter de idade trinta e tres annos, pouco mais ou menos; testemunha jurada conforme o seu rito Mahometano, que lhe deferio o dito Juiz para dizer a verdade do que soubesse, e lhe fosse perguntado de costume disse nada. Sendo perguntado pelo contheudo do officio do Illustrissimo Senhor Governador destas Ilhas, que foi lido e explicado: respondeu pelo primeiro artigo que o proprietario he subdito Portuguez, Boana Xaque Daly; pelo segundo respondeu que opangaio era novo, e não tinha feito navegação para parte alguma; pelo terceiro respondeu que a construcção deste pangaio foi feita nas praigs de Quissanga; pelo quarto respondeu que sabia, pouco mais ou menos, que o diao pangaio podia carregar cem tonelladas; pelo quinto respondeu que ouvira ao dito proprietario que pertendia mandar o dito pangaio para Moçambique sómente para ir embandeirar, com o passaporte legal do Senhor Governador; pelo sexto respondeu que abordo do dito pangaio não tinha mantimento de qualidade alguma só sim mastro e cabos; pelo setimo respondeu que a tripulação das lanchas Inglezas queimarão as casas do Governador dos Mouros, e o motivo ignorava; pelo oitavo respondeu sómente encontrarão dentro qas ditas casas o beque do dito pangaio, e uma panella com arroz; pelo nono respondeu que he verdade que o commandante das ditas lanchas não quiz reconhecer a bandeira Portugueza que o Capitão-Mór dos Mouros lhe mostrou; pelo decimo respondeu que ouvira que o dito commandante das ditas lanchas não conhecia a Rainha de Portugal, nem o Governo; pelo decimo-primeiro respondeu que he verdade que o dito commandante disse publicamente que tinha poder de pòr fogo todas estas terras porque não conhecia a qualquer pessoa senão o seu Almirante; finalmente, tendo o dito Juiz perguntado o dito depoente a distancia de Quissanga para este Ibo, donde tinha fundeada a dita fragata, respondeu que pouco mais ou menos era duas legoas, e mais não disse: e sendo-lhe lido o seu depoimento, disse estar conforme o que havia dito, e se assignou com o dito Juiz, e comigo o dito escrivão que o escrevi.

(Assignado) PEDRO ANTONIO GONCALVES DE NORONHA.
JOAO AFFONSO DE ATTAIDE.
MUCA ANTUMANO.

Decima-oitava testemunha.—Selimane Boana, natural solteiro e morador em Quissanga, que disse ter de idade vinte e sete annos, pouco mais ou menos; testemunha jurada conforme o seu rito Mahometano, que lhe deferio o dito Juiz para dizer a verdade do que soubesse, e lhe fosse perguntado de costume disse nada. Sendo perguntado pelo contheudo do officio do Illustrissimo Senhor Governador destas Ilhas, que foi lido e explicado: respondeu pelo primeiro artigo que o proprietario he subdito Portuguez, Boana Xaque Daly; pelo segundo respondeu que o pangaio era novo, e não tinha feito navegação para parte alguma; pelo terceiro respondeu que a construcção do dito pangaio foi feita nas praias de Quissanga; pelo quarto respondeu que ouvira ao dito proprietario do dito pangaio que pertendia mandar para o capital de Moçambique sómente para ir embandeirar, com o passaporte legal do Illustrissimo Senhor Governador; pelo quinto respondeu que sabia, pouco mais ou menos, que o dito pangaio podia carregar oitenta e seis tonelladas; pela sexto respondeu que tinha abordo do dito pangaio o mastro, cabos e duas fateixas de ferro, que o dito proprietario queria levantar o dito mastro, e não tinha mantimento de qualidade alguma, e nem qualquer indicio do infame Trafico de Escravatura; pelo setimo respondeu que a tripulação das lanchas Inglezas queimarão as casas do Governador dos Mouros, e motivo ignorava; pelo oitavo respondeu só sim acharão nas ditas casas o beque do dito pangaio queimado, e uma panella de barro com arroz; pelo nono respondeu que he verdade que o dito commandante das ditas lanchas não quiz reconhecer a bandeira Portugueza que o Capitão-Mór dos Mouros lhe mostrou; pelo decimo respondeu que ouvira pelo dito commandante das ditas lanchas não conhecia a Rainha de Portugal, nem o Governo; pelo decimo-primeiro respondeu que he verdade que dissera o dito commandante que tinha poder de pôr fogo todas estas terras, e não conhecia a pessoa alguma senão o seu Almirante; finalmente, tendo o dito Juiz perguntado o dito depoente a distancia de Quissanga para este Ibo, donde tinha fundeada a fragata Ingleza, respondeu que pouco mais ou menos era uma legoa e meia, e mais não disse: e sendo-lhe lido o seu depoimento, disse estar conforme o que havia dito, e se assignou com o dito Juiz e comigo dito escrivão que o escrevi.

(Assignado) PEDRO ANTONIO GONCALVES DE NORONHA.
JOAO AFFONSO DE ATTAIDE.
SELIMANE BOANA.

Decima-nona testemunha.—Theocaly Volay, natural casado e morador nas terras da Quissanga, que disse ter de idade vinte e nove annos, pouco mais ou menos; testemunha jurada conforme o seu rito Mahometano, que lhe deferio o dito Juiz para dizer a verdade do que soubesse, e lhe fosse perguntado de costume disse nada. Sendo perguntado pelo contheudo do officio do Illustrissimo Senhor Governador destas Ilhas, que foi lido e explicado: respondeu pelo primeiro artigo que o proprietario he subdito Portuguez, Boana Xaque Daly; pelo segundo respondeu que o pangaio era novo, e não tinha feito navegação para parte alguma; pelo terceiro respondeu que a construcção do dito pangaio foi feita nas praias de Quissanga; pelo quarto respondeu que ouvira ao proprietario do dito pangaio pertendia mandar para o capital de Moçambique para ir embandeirar, com passaporte legal do Senhor Governador; pelo quinto respondeu que sabia, pouco mais ou menos, que o dito pangaio podia carregar cento e sete tonelladas; pelo sexto respondeu que abordo do dito pangaio tinha o mastro real, cabos e duas fateixas de ferro, e não tinha mantimento de qualidade alguma, e não havia qualquer indicio; pelo setimo respondeu que a tripulação das lanchas Inglezas queimarão as casas do Governador dos Mouros, e motivo ignorava; pelo oitavo respondeu só sim acharão dentro das ditas casas o beque do dito pangaio, e uma panella de barro com arroz; pelo nono respondeu que he verdade que o commandante das ditas lanchas não quiz reconhecer a bandeira Portugueza que o Capitão-Mór dos Mouros lhe mostrou; pelo decimo respondeu que ouvira pelo dito commandante das ditas lanchas que não conhecia a Rainha de Portugal, nem o Governo; pelo decimo-primeiro respondeu que he verdade que o dito commandante disse publicamente que tinha poder de pôr fogo todas estas terras, e não conhecia a pessoa alguma senão o seu Almirante; finalmente, tendo o dito Juiz perguntado o dito depoente a distancia de Quissanga para este Ibo, donde tinha fundeada a fragata Ingleza, respondeu que pouco mais ou menos era duas legoas, e mais não disse: e sendo-lhe lido o seu depoimento, disse

estar conforme o que havia dito, e assignou com o dito Juiz e comigo o dito escrivão que escrevi.

(Assignado) PEDRO ANTONIO GONCALVES DE NORONHA.
JOAO AFFONSO DE ATTAIDE.
THEOCALY VOLAY.

Vigissima testemunha.—Nasciri Aruna, natural morador e casado nas terras de Quissanga, que disse ter de idade trenta annos, pouco mais ou menos; testemunha jurada conforme o seu rito Mahometano, que lhe deferio o dito Juiz para dizer a verdade do que soubesse, e lhe fosse perguntado de costume disse nada. Sendo perguntado pelo contheudo do officio do Illustrissimo Senhor Governador destas Ilhas, que foi lido e explicado: respondeu pelo primeiro artigo que o proprietario é subdito Portuguez, Boana Xaque Daly; pelo segundo respondeu que o pangaio era novo, e não tinha navegação para parte alguma; pelo terceiro respondeu que a construcção do dito pangaio foi feita nas praias de Quissanga; pelo quarto respondeu que ouvira o dito proprietario do dito pangaio que pertendia mandar para o capital de Moçambique para ir embandeirar, com o passaporte legal do Illustrissimo Senhor Governador; pelo quinto respondeu que sabia, pouco mais ou menos, que o dito pangaio podia carregar cem toneladas; pelo sexto respondeu que tinha abordo do dito pangaio o mastro real, cabos, e duas fateixas de ferro, que o dito proprietario queria levantar o dito mastro, e não tinha mantimento de qualidade alguma, e nem qualquer indicio do infame Trafico de Escravos; pelo setimo respondeu que a tripulação das lanchas Inglezas queimarão as casas do Governador dos Mouros, Boana Xaque Daly, e motivo ignorava: pelo oitavo respondeu sómente acharão dentro das ditas cas uma panella de barro com arroz; pelo nono respondeu que é verdade que o commandante das ditas lanchas não quiz reconhecer a bandeira Portugueza que o Capitão-Mór dos Mouros, Falume Chande Bun Imamo, lhe mostrou; pelo decimo respondeu que ouvira pelo dito commandante das ditas lanchas não conhecia a Rainha de Portugal, nem o Governo; pelo decimo-primeiro respondeu que he verdade que fallou do dito commandante publicamente tinha poder de pôr fogo todas estas terras porque elle não conhecia a ninguem senão o seu Almirante; finalmente, tendo o dito Juiz perguntado o dito depoente a distancia de Quissanga para este Ibo, donde tinha fundeada a fragata Ingleza, respondeu que pouco mais ou menos era duas legoas e meia, e mais não disse; e sendo-lhe lido o seu depoimento, disse estar conforme o que havia dito, e se assignou com o dito Juiz, e comigo dito escrivão que o escrevi.

(Assignado) PEDRO ANTONIO GONCALVES DE NORONHA.
JOAO AFFONSO ATTAIDE.
NASCIRI ARUNA.

E como tivesse concluido a inquirição de vinte testemunhas, mandou o dito Juiz lavrar este termo de encerramento, em que se assignou o dito Juiz e comigo o dito escrivão que o escrevi.

(Assignado) PEDRO ANTONIO GONCALVES DE NORONHA.
JOAO AFFONSO DE ATTAIDE.

E como tivesse concluido depoimente de vinte testemunhas, faco concluso estes Autos do Juiz Ordinario deste Julgado, para o mesmo mandar o que foi servido.

Eu, João Affonso de Attaide, escrivão, que o escrevi.

Ibo, 16 *de Agosto de* 1852.

Conclusos.—Em consequencia do oficio que foi dirigido por Illustrissimo Senhor Governador destas Ilhas, Jeronimo Romero, da data de nove de corrente mez, ao agente do Ministerio Publico, e tendo o mesmo requerido á este Juiz para se proceder á querella, e como as testemunhas perguntadas unanimemente, condeno na conformidade ordinação (livro quinto, titulo oitenta e seis, paragrapho um), a tripulaçao das cinco lanchas da fragata Ingleza. Visto elles não estar aqui, o escrivão do meu cargo estrahe a copia para ser remettido ao mesmo senhor, e sega os termos ordinarios.

Ibo, 16 *de Agosto de* 1852.

(Assignado) PEDRO ANTONIO GONCALVES DE NORONHA,
Juiz Ordinario.

No mesmo dia mez era ut supra foi publicado na audiencia publica, e para constar passei este termo. Eu, João Affonso de Attaide, escrivão, que o escrevi. Vão em vista do Sub-delegado do Procurador Regio para constar passei este, em que se assignou junta comigo escrivão que escrevi.

Ibo, 16 *de Agosto de* 1852.

(Assignado) BERNARDINO DE BARROS COELNO,
Sub-delegado do Procurador Regio.
JOAO AFFONSO DE ATTAIDE.

Nada se me offerece á dizer sobre o despacho a folhas que se acha fundada nos principios da justiça e por convenha o mesmo.

Ibo, 17 *de Agosto de* 1852.

(Assignado) BERNARDINO DE BARROS COELHO,
Sub-delegado do Procurador Regio.

Aos dezaseis de Agosto de mil oito centos cincoenta e dous, foi me entregue estes Autos por Sub-delegado do Procurador Regio, e para constar fez este termo, em que me assigno. Eu escrivão que o escrevi.

(Assignado) JOAO AFFONSO DE ATTAIDE.

Não se continha nada mais se continha aonde mandei escrever esta e subescrevi, bem e fielmente, se acrescentar nem diminuir couza alguna, de que me reporto a minha fé.

Ibo, 21 *de Agosto de* 1852.

(Assignado) JOAO AFFONSO DE ATTAIDE.

No. 312.

Sir R. Pakenham to the Earl of Clarendon.—(*Received September* 15.)

My Lord, *Lisbon, September* 8, 1853.

I HAD the honour on the 1st of this month to receive your Lordship's despatch of the 18th of August.

I beg leave herewith to submit a copy of a note which I have addressed to the Portuguese Minister for Foreign Affairs, in obedience to the instruction contained therein, expressing the desire of Her Majesty's Government that a Brazilian subject, named Francisco Antonio Flores, should be expelled from Angola, on account of his notorious participation in the Slave Trade, as well as on account of the efforts which he is now said to be making to revive the Slave Trade in that province.

I have, &c.
(Signed) R. PAKENHAM.

Inclosure in No. 312.

Sir R. Pakenham to Viscount d'Athoguia.

Sir, *Lisbon, September* 3, 1853.

THERE is now resident at Loanda a Brazilian subject named Francisco Antonio Flores, a well-known slave-dealer, who, it is represented to Her Majesty's Government, is at this moment employing his great wealth and predominant local influence in the revival of the Slave Trade in the province of Angola.

There perhaps never was a time when it was more important to the object which both Governments have so much at heart that the most determined measures should be adopted for the punishment of the crime of slave-trading, than the present, when, after so much progress had been made towards its suppression, there are yet to be found persons daring enough, in defiance of the laws of Portugal, and of the engagements of the Portuguese Crown, to attempt to revive it.

Her Majesty's Government have reason to believe that of such guilty persons there is no one more deserving of condemnation than the individual above named, Francisco Antonio Flores, who it appears is established at Loanda by virtue of a license from Her Most Faithful Majesty's Government, subject to the condition of good behaviour; that is to say, that he should do nothing in contravention of the laws of Portugal for the prevention of the Slave Trade.

Now there exist in the archives of Her Majesty's Legation at Rio de Janeiro documents which satisfactorily prove that this Flores has been actively concerned in the Slave Trade; and recent reports from Loanda mention circumstances which leave no room for doubt as to his perseverance in the same criminal pursuit.

Her Majesty's Government therefore feel no hesitation in denouncing him to the Portuguese Government as a person whose presence ought not to be tolerated at any place within the possessions of Portugal where Slave Trade has at any time been carried on; and as Her Majesty's Government give credit to Her Most Faithful Majesty's Government for a sincere desire to fulfil their engagements to Great Britain for the extinction of the Slave Trade, they trust that your Excellency will cause immediate instructions to be sent to Loanda for the expulsion from the province of Angola of Flores, and of any other persons resident in that province who may be concerned in his criminal schemes for the revival of this hateful Traffic.

I take, &c.
(Signed) R. PAKENHAM.

No. 313.

Count Lavradio to the Earl of Clarendon.—(*Received September* 19.)

(Translation.) *London, September* 17, 1853.

THE Undersigned, Envoy Extraordinary and Minister Plenipotentiary of Her Most Faithful Majesty, deeply regrets being obliged so frequently to address his Excellency the Earl of Clarendon, &c., with complaints against the irregular proceedings of some of the officers of the British navy employed in cruizing on the coast of Southern Africa, with the object of preventing the Slave Trade. Only a short time ago the Undersigned was compelled to make a complaint to his Excellency the Earl of Clarendon against various acts done by Commander Bunce in Quissanga, one of the possessions of Portugal on the eastern coast of South Africa; and now, in consequence of instructions and orders received from his Government, he is obliged to bring before his Excellency the acts done against the rights of the Crown of Portugal by Captain Arthur Parry Eardley Wilmot, Commander of the brig "Harlequin," and to request that due reparation may be made for those acts, opposed to the Law of Nations, and to the Treaties subsisting between Portugal and Great Britain.

On the 16th or 17th day of January in the present year, Captain Wilmot came to the Bar of Bengo, and taking advantage of the simplicity of the Commander of that district, he obtained leave from him to engage in his service the Portuguese subject, Vicente Antonio Soares Cabo Verde (who speaks correctly the Portuguese and English languages, and the Abunda, which is spoken over almost all the eastern coast of South Africa), but, however, under the express condition that the leave should not be valid unless confirmed by the Governor of Angola. This condition, to which Cabo Verde voluntarily submitted, was accepted by Captain Wilmot, but he, far from complying with it, prevented Cabo Verde from addressing himself to the Governor of Angola, and compelled him to follow him, without permission, to Cabinda, into which harbour they entered on the 24th of January, on board the steamer "Volcano;" all which, together with many other aggravating circumstances against the proceeding of Captain Wilmot, appears from a deposition made by Vicente Cabo Verde before the competent authorities, the copy of which document, from a feeling of delicacy, the Undersigned does not transmit to his Excellency.

Captain Wilmot began by addressing a letter to the King and Chiefs of

Cabinda, inviting them to sign a Treaty with Great Britain, and threatening them, if they did not accept the invitation made to them, to blockade their shores, destroy the people, and burn the towns; and exciting the hatred of those Chiefs against the Portuguese, and especially those residing in Cabinda. His Excellency the Earl of Clarendon has already, without doubt, cognizance of this document (which certainly does no honour to its author); but nevertheless the Undersigned begs leave to forward a copy to his Excellency, requesting his attention particularly to the sentences underlined.

Captain Wilmot, with his interpreter Cabo Verde, landed on the same day, the 24th of January, went to Francisco Franque, the Governor of Porto Rico, presented to him the draft of a Treaty between Great Britain and Cabinda, and called upon him for his signature, which was refused; and then he addressed the same demand to the King, who made a like refusal. Captain Wilmot then seeing that he could obtain nothing from the Chiefs of Cabinda, who, acknowledging themselves as vassals of the Queen of Portugal, did not consider themselves authorized to conclude Treaties with foreign Governments, left Cabinda on the following day; but after some few days more, that is to say, on the 9th day of the following February, he returned to Cabinda, and landed on the 10th, accompanied by some officers, four armed soldiers, a flag, and the interpreter Vicente Cabo Verde, went to the house of Mambuco, the Viceroy of Cabinda, and there, having assembled all the Chiefs by invitation, he endeavoured, both by promises and threats, to oblige them to sign the same Treaty which on the 24th day of January he had presented to them, first to the Governor of Porto Rico, and then to the King of Cabinda, and which both had refused to sign. All the Chiefs, however, refused to sign the Treaty, not allowing themselves to be seduced by the promises or frightened by the menaces of Captain Wilmot, declaring their fidelity to the Queen of Portugal, whose flag they had hoisted, as a proof of their feelings and their duties.

Captain Wilmot finding that he could obtain nothing, went away with his whole party, and the Chiefs did the same; but shortly afterwards Captain Wilmot, accompanied only by the commander of the "Volcano" and the interpreter, returned to the house of Mambuco, and invited him to drink brandy, which he accepted, and to such an extent that he lost his judgment, or was electrified [electrisado], as the incautious negro confesses in his important deposition; and Captain Wilmot, having previously offered Mambuco to take charge of the education of his younger son, presented to him a paper to sign, telling him that it was the act by which he (Mambuco) consented to give up his son to Captain Wilmot. Mambuco being unable to read or write, did not hesitate to sign a cross upon the paper put before him. This paper, however, was the Treaty which Mambuco and the other Chiefs had before refused to sign. All this appears from different documents which the Undersigned has before him, and among others, from the deposition made by Mambuco on the 10th March, 1853, a copy of which the Undersigned has the honour to send to his Excellency.

Captain Wilmot, notwithstanding this, being unscrupulous as to the manner in which he had obtained Mambuco's signature, returned forthwith to his ship and published the signature of the Treaty, commanding a salute of twenty-one guns to be fired in celebration of this event. The improper conduct of Captain Wilmot did not stop here; in spite of the King of Cabinda's formal refusal to sign the Treaty, he had the audacity to write to the Governor-General of Angola, asserting the contrary.

Captain Wilmot, before leaving Cabinda, wrote to the Governor of Porto Rico, declaring to him that if he should return there he would oblige him by force to sign the Treaty.

As soon as the King and Chiefs of Cabinda were aware of the unjustifiable conduct of Captain Wilmot, they not only protested against it, but wrote to the Governor-General of Angola, telling him what had taken place, and renewing their protestations of fidelity to Her Most Faithful Majesty the Queen of Portugal. These letters were carried by a deputation composed of the principal persons of Cabinda.

If there were not many other conclusive arguments to prove the rights which the Crown of Portugal possesses over Cabinda, those letters would be sufficient to prove them. These rights have existed from 1484, and they are fully and solemnly admitted in 1853 by those who alone might possibly be allowed to dispute them.

The Governor-General of Angola, zealous in the performance of his duty, did not delay to protest against the pseudo Treaty which Captain Wilmot, with inexcusable incorrectness, asserted to have been signed by the King of Cabinda. Your Excellency will see inclosed the copies of the protests which the said Governor-General addressed to the Commander-in-Chief of the British naval station, to Captain Wilmot, and to the English Vice-Consul in Loanda.

Captain Wilmot was not contented with attempting to corrupt the fidelity of the inhabitants of Cabinda; he tried also that of the inhabitants of Ambriz, to which harbour he went in the beginning of March last, proposing then to the Chief of the Portuguese colony, a Treaty like that which he had before proposed to the Chiefs of Cabinda; but he found in that Chief the same resistance to his perfidious promises and threats, and a fidelity to the Crown of Portugal equal to that which he had met with in Cabinda. He also found in the harbour of Ambriz the worthy commander of the Portuguese war-brig "Corimba," who prudently, but with the dignity belonging to an officer of the glorious Portuguese navy, hastened to protest against acts which were notoriously opposed to the rights of the Crown of Portugal. It may not be unnecessary to remark that Captain Wilmot, in order to intimidate the Chief of Ambriz, caused himself to be accompanied by one hundred and twenty-one men well armed.

The facts which the Undersigned has here submitted to the judgment of the Earl of Clarendon, all extracted from the correspondence of Captain Wilmot himself, and from the depositions of witnesses present, are not and cannot be denied by Captain Wilmot, who in his correspondence with the Governor of Angola and other Portuguese authorities, merely attempts to palliate them by arguments which are inadmissible, inasmuch as they are opposed to the principles of law, taking upon himself authority to interpret the Treaties which exist between Portugal and Great Britain, and manifesting gross ignorance of the Law of Nations, which the Undersigned trusts he shall be able to demonstrate.

Captain Wilmot maintains that all that he has done in Cabinda, Ambriz, and other points of the coast of Africa, has been in conformity with instructions he had received from his superior officers. With respect to this, the Undersigned confines himself to the declaration that he protests in the name of the Government against those instructions, and against those infractions of the Law of Nations, and of the Treaties subsisting between the Crowns of Portugal and Great Britain, which, by virtue of those instructions, were ordered to be committed.

But Captain Wilmot is afterwards still more explicit in his correspondence, and he pretends to maintain, that in none of the acts done by him has he offended against any regulation of the Treaties existing between the Crowns of Portugal and Great Britain; because the latter having recognized in the Crown of Portugal rights over the western coast of South Africa, solely in that part which lies between the 8th and 18th degrees of south latitude, and that he having negotiated, or rather endeavoured to negotiate, with Chiefs whose lands lay to the northward of the 8th degree, he had not offended against the rights of the Crown of Portugal recognized by Great Britain.

Before demonstrating that the acts done by Captain Wilmot did violate the regulations of the Treaties existing between Portugal and Great Britain, the Undersigned has to declare most formally and solemnly, that the rights of the Crown of Portugal over a great number of harbours, and territory of Southern Africa, were in existence before the Treaties concluded with Great Britain, and independent of them.

The rights of the Crown of Portugal over her African colonies arise principally—

1st. From the discoveries made in 1484 and subsequent years by Portuguese, by order of their Sovereigns and at their expense;

2nd. By the possession which they took thereof, and by the dominion which at great expense they established therein;

3rd. In many of those that were peopled, by the spontaneous consent of the inhabitants, a result of the benefits which they had received from the Crown of Portugal.

It does not appear to the Undersigned that rights better founded or more sacred than these are possessed by any other nation now in existence. Therefore, even if these rights had not been recognized in three Treaties concluded between Portugal and Great Britain, Captain Wilmot, in pretending to negotiate

Treaties with people dependent on the Crown of Portugal, would have committed an obvious infraction of the law of nations.

But leaving for the present the question of the rights which the Crown of Portugal possesses to various lands on the western coast of South Africa, which it does not renounce, the Undersigned will confine himself to the investigation of what are the points of that coast upon which the dominion of the Crown of Portugal is recognized in different Treaties concluded with Great Britain.

In Article X of the Treaty of Alliance of the 19th February, 1810, between the Crowns of Portugal and Great Britain, the latter recognized the rights of the former over divers territories of Southern Africa, namely, over the territories of Cabinda and Molembo, and of all the coast of Miná, that is to say, all the western part of Southern Africa from the Cape of Lopo Gonçalves to the 18th degree of south latitude.

In Article II of the Treaty of the 22nd January, 1815, the British Government renewed the recognition which it had previously made in Article X of the aforesaid Treaty of the 19th February, 1810.

Finally, Article II of the Convention of the 28th July, 1817, additional to the Treaty of the 22nd January, 1815, declares explicitly what are the territories in South Africa belonging to the Crown of Portugal. Her Britannic Majesty recognizes—

1st. That among other territories which the Crown of Portugal possesses *de facto* and *de jure* in Southern Africa is included all the coast lying between the 8th and 18th degrees of south latitude on the western side;

2nd. The reservation which His Most Faithful Majesty makes of his rights over the whole territory between 5° 12′ and 8° south latitude, namely, the territories of Molembo and Cabinda.

The Undersigned has now to observe, and this observation is important, that when the aforesaid Convention was concluded in 1817, not only the Portuguese and English Plenipotentiaries who signed the same, but also the geographers of the two nations, considered the port and territory of Ambriz to be included between the 8th and 18th degrees of south latitude, and it was also considered so by the Government of Her Britannic Majesty on the 30th November, 1846, for on that day Lord Palmerston, then Her Britannic Majesty's Secretary of State in the Foreign Department, addressed a note to the Viscount Moncorvo, in which the following declaration occurs:

"According to the Treaty of 1817, Molembo, as you are aware, is the extreme point of the Portuguese claim to sovereignty, not actually recognized by Great Britain, but to which Portugal declares that she retains her rights; and the Ambriz is the extreme northern point recognized by Great Britain."

It is then indubitable that, when the above-mentioned Treaties were signed, the Ambriz was, and could not but be, considered by Her Britannic Majesty's Government as included between 8° and 18° of south latitude, and was solemnly recognized as one of the points of Africa where the sovereignty of the Crown of Portugal was indisputable and undisputed.

And again, thirty years after the last of the above-mentioned Treaties was concluded, the Government of Her Britannic Majesty renewed this recognition (which was not necessary) in the above note of Viscount Palmerston.

And, moreover, the Ambriz being one of the frontiers of the kingdom of Angola, and one of the points essential for its trade and defence, and acknowledged as such for ages, it would be absurd to suppose that the Crown of Portugal consented spontaneously to give up, or even to leave in doubt, her dominion over that territory.

To pretend, then, that the result of an astronomical observation might render doubtful a dominion acquired nearly four centuries previously, and solemnly recognized, would be an absurd pretence which cannot be admitted in the interpretation of Treaties, and which, if admitted, would occasion interminable disturbances among nations, whose rights would remain for ever in doubt.

It would be an offence to the Government of Her Britannic Majesty, and to the well-known principles of justice, to the consummate experience, and the great talents of his Excellency the Earl of Clarendon, if the Undersigned should insist further upon a matter so clear, in relation to which all writers on the Law of Nations, of any note, are agreed.

With respect to the territories of the western coast of South Africa, lying between 5° 12′ and 8° of south latitude, and over which Her Most Faithful

Majesty has frequently declared that she reserved her rights, and most especially over the territories of Cabinda and Molembo, the Undersigned has to remind his Excellency that, from 1810 to 1817, this reservation has been three times solemnly recognized by Her Britannic Majesty in three formal Treaties; the Undersigned not being able to omit calling the serious attention of his Excellency to Article X of the Treaty of Alliance of the 19th of February, 1810, and particularly in the part relating to the recognition of the rights of the Crown of Portugal to the territories of Cabinda and Molembo.

The Undersigned would have no difficulty in demonstrating, by irrefragable documents, the rights which the Crown of Portugal possesses, not only over the territories of Cabinda and Molembo, but also over many others in Africa; but he does not think it necessary to enter into this demonstration, because he cannot consider the opinions expressed by Captain Wilmot, and confirmed verbally by Commodore Bruce, to be the opinions of Her Britannic Majesty's Government.

The Undersigned however protests, in the name of Her Most Faithful Majesty the Queen of Portugal, his august Sovereign, against the above-mentioned acts, committed in Cabinda and Ambriz by Captain Wilmot and approved by Commodore Bruce, as injurious to the rights which the Crown of Portugal possesses over those territories.

He protests, also, against the extravagant pretension of those officers of the British navy to assume the right of interpreting Treaties subsisting between Portugal and Great Britain,—a right which appertains to the two High Contracting Parties only: and, in case they should not be able to agree, to the Power which they may, by common consent, select as arbitrator, or to God alone, the Supreme Arbiter of independent nations.

The Undersigned has no doubt that, when his Excellency the Earl of Clarendon shall have attentively looked into the facts referred to, the Government of Her Britannic Majesty will hasten to give to that of Her Most Faithful Majesty the satisfaction demanded by justice, and by the dignity and well-understood interests of the two nations.

It would be deplorable if the ancient, intimate, cordial, and never-interrupted alliance, which happily has existed so many years between the two nations, should be disturbed by the imprudence of a few officers of the British navy, very zealous perhaps in the fulfilment of their duties, and very estimable, but, without doubt, but little acquainted with the Law of Nations, both natural and positive. Moreover, these questions, far from being advantageous to the great object which the Governments of Her Most Faithful Majesty and Her Britannic Majesty are endeavouring to promote in Africa, the abolition of the Slave Trade,—and the Undersigned will say, still further, that of Slavery,—will serve only to increase the expenses and difficulties of various kinds which the two Governments have encountered in prosecuting the great and humane object which they have, by common consent, proposed to themselves.

The Government of Her Most Faithful Majesty is firmly resolved, even at the cost of great sacrifices, in addition to the many it has already incurred, not only to prevent the Traffic, but also to put an end to the condition of Slavery, in its possessions both of Asia and Africa; and this not only because it is its duty, but also because it is its interest so to do.

The interest of Portugal, especially since the separation of Brazil, is to fix the population in its African possessions, to set it free gradually and prudently, and to civilize it by leading it to the cultivation of the ground and the exploration of its many natural productions. The Government of Her Most Faithful Majesty, in spite of the many difficulties which it has encountered, has already laboured much upon this, and it will attain great success if it be not disturbed by irrelevant questions. If unhappily there is any one now engaged in the infamous Traffic in Slaves, fortunately the Portuguese flag is certainly not the one which protects this abominable crime.

The Government of Her Most Faithful Majesty, humane, faithful to its promises, and acquainted with the interests of the Portuguese nation, is not behind the British Government in the ardent desire, which it has for many years nourished, to concur actively for the complete extinction, not only of the Slave Trade, but of the condition of slavery, which is contrary to the principles of natural law and to the precepts of Christianity.

The Undersigned, &c. (Signed) LAVRADIO.

Inclosure 1 in No. 313.

Commander A. E. Wilmot to the King and Chiefs of Cabinda.

(Translation.)

King and Chiefs of Cabinda, "*Harlequin*," *January* 1, 1853.

THE Queen of Great Britain, one of the most powerful nations in the world, has sent me here to offer you her friendship and alliance, and to bestow upon you the blessings of her favour and protection, if you will give up, for ever, the cruel and sinful Traffic of selling slaves.

All nations in the world have set their faces against this abominable Trade, and made an agreement amongst themselves that no more black men shall be sold into their countries.

They are determined to carry out this agreement and to use even force if necessary.

They would, however, rather have you listen to the voice of humanity and justice towards your fellow-creatures than be obliged to blockade your shores, destroy your people, and burn your towns.

The black man should be the white man's friend as the white man is the black man's friend. All are alike in the estimation of our common Father and God, who watches over those people and countries who obey his laws and try to make each other happy and prosperous. He shows His anger against all wicked men who never think of Him except when they are about to die, and every day commit great sins and great wickedness. More particularly, He is angry with the black man for selling his own countrymen, and says: "The country of the black man will never be rich or happy until every one is permitted to live in peace and safety in his own village."

The white man does not sell slaves; he is therefore much richer and far greater than the black man.

You must, therefore, leave off this Trade, for unless you do so a curse will always hang over your heads.

England wishes you to do this, and then plenty of ships and plenty of good trade will come to your country, for which you will collect ivory, gum, orchilla, copper, bees'-wax, and gold-dust, with all the other, as yet, unknown treasures which Africa can produce in such rare abundance.

Great Britain, even singly, if necessary, is determined to put down the Slave Trade; hence it becomes every day the more necessary for you to turn your attention to legitimate trade.

The Slave Trade is now an uncertain livelihood to those who have been enriched by its means. Brazil has said: "There shall be no more slaves sold in our country. The punishment of those who break this law shall be confiscation of property, banishment, and even death."

The Portuguese slave-dealers dare no longer risk their money in such a contraband Trade; open your eyes then to the true state of affairs.

Such men have no love for you. They look upon you as their slaves—fit only to do the meanest work of their factories. They make use of you for their own interests. When they have gained all they can, they will desert and laugh at you.

Is this the conduct of men that pretend to be your friends? They are your greatest enemies!

They will tell you that England and Englishmen have some other motives, some secret reason in view, besides the Abolition of the Slave Trade. Believe them not! England can gain nothing by preventing the Slave Trade except the feeling of having done you good. Slaves are not bought or sold by Englishmen! How then can England gain by your signing a Treaty to stop the Traffic for ever?

She offers you the articles of which you stand most in want, and holds out to you civilisation, Christianity, and prosperity; a change from the present degraded state of your race, in which you scarcely know the blessings of life, or how to gain your food for to-morrow, to a state of comparative wealth and independence.

If the Portuguese traffickers will not give up buying slaves from your country and sending them across the Big Water, turn them out of Africa and send them away for ever.

White men will then come to you in their ships, and all the most useful articles of life will be exchanged for your productions.

They will tell you of the existence of a God who is, as yet, unknown to you, living in the heavens above your head, who sees you wherever you may be, and hears you whenever you speak. They will also teach you the blessings of a religion that brings peace, happiness, joy and prosperity to those that listen to its doctrines and follow its precepts.

Finally, they will tell you of a Saviour of the World, who died for your sakes: a Saviour for Africa and the black man, if he will learn to know and love him, instead of the foolish and idolatrous Fetish, which is without life and without animation, and which the stick that each of you carries in your daily walks can easily knock down and break into a thousand pieces.

Listen then to these words before it is too late, and give up the Slave Trade, which is the curse and evil of your country.

England will give you a certain sum of money, cloth, or whatever you may prefer, for a certain time to make up for the loss of this horrible Trade.

(Signed) ARTHUR P. EARDLEY WILMOT.

Inclosure 2 in No. 313.

Declaration of the Chiefs and Authorities of Cabinda, &c.

(Translation.)

ON the 10th day of March, 1853, the Chiefs and other persons of authority in Cabinda, of their free will assembled on board Her Most Faithful Majesty's war-brig "Corimba," in order that they might there, in presence of the crew of that brig, all hear the declaration of Mambuco Maniloemba, who had requested them to meet together, that he might unload his conscience—a proof of his love and fidelity to the Government of Her Most Faithful Majesty Dona Maria II. He declares before them all, in the most legal manner possible, that he perfectly knows he has not any right to sign Treaties or Conventions of any kind with the English or any other foreigners, of which he gave sufficient proofs when Commander A. E. Wilmot, on the 10th day of February last, endeavoured, by all the means in his power, to make him sign a Treaty, in which he was unable to succeed, either with advantageous promises or with arrogant threats; but that however firm and loyal he has been, he learns, to his very great astonishment, that he is reported to have signed the said Treaty; and therefore, to rebut such calumny, he has sought this means of declaring, in presence of all the undersigned witnesses, that the truth of what passed between him and the English commander is as follows:—

On the 19th day of February last I was urged by Captain A. E. Wilmot to assemble in my house on the following day the principal authorities of Cabinda, that we might sign a Treaty about slavery and many other things; and in fact we did meet together, and there, early the next day, the said commander came ashore with ten officers, four soldiers, a flag, and a mulatto, who interpreted for him. The whole day was occupied by the said commander in endeavours to obtain our signature; but to all his arguments we only replied that Cabinda acknowledges the rights of the Queen of Portugal alone, and could not make Treaties without the authority of the Portuguese Government, which already had been several times declared by our ancient Kings. Finally, the night arrived without the English having obtained anything, and the meeting broke up; the authorities retiring to their towns, and the English to their ship. But very soon afterwards the Commander Wilmot returned to my house alone, with the commander of the steamer "Volcano," and the mulatto who served as interpreter, to drink brandy-and-water; and they kept urging me so much to drink with them, that I yielded so far as to remain some time electrified [electrisado]; and when they saw me in that state, they profited by the opportunity to induce me to allow them to take a son of mine on board, to teach him to read and write, I signing a cross upon a paper, which they said was the certificate, that

my son should go on board. Nothing more took place; and I swear before God and upon my honour, in the presence of all of you, that this is the truth, and that I did not sign any other paper, and I consider that signature as null if the paper did not contain what they told me. I have nothing further to say than that I am very glad to have this opportunity of making to you this sincere and true declaration, which was written in our presence, and as it contains the circumstances precisely as they took place, I sign it in your presence.

On board the said vessel anchored in the Bay of Cabinda.

(Signed) MAMBUCO MANILOEMBA.

We take advantage of this opportunity, not only to assert that it was the real Mambuco Maniloemba who made this present declaration, but also to show to the whole world that we have been for very many years subject to Portugal; and that therefore we cannot, nor do we wish to, make Treaties of any sort whatsoever with any other nation, which we swear by everything that is most sacred, and affirm by our signatures.

(Signed) FRANCISCO FRANQUE,
Governor of Porto Rico.
MANUEL JOZE DE PUMRA,
Mangavo do Rei.
PRINCE SAMBO.
PRINCE CAPITO.
MANITALI.
PRINCE CAPITO MANIGEMBA.
PRINCE FURAXICO MANIPUNTA.

For the King of Ponta,
MANUEL JOZE DE PUMRA,
Mangoco do Rei.
PRINCE MANILOEMBA.
PRINCE MANIMBAXE.
PRINCE MANGOSO MANIMBAXE.

For the King Malembo,
CAPITO MANITALI.

It being known to King Manipunta that Mambuco Maniloemba was coming to make the present declaration, he charged me to say that he did not appear personally, but that he approves and lauds the conduct of Mambuco; because the Englishman having gone to the town of the King to obtain his signature to such a Treaty, the reply which he gave was to show him two Portuguese flags, and to tell him that his endeavours to get the Royal signature were useless; because the King very well knew that Cabinda was subject to Portugal, and therefore he would not nor could he sign any Treaty. With this decisive and sole reply the English commander went away; therefore it appears to the King impossible that any one should say that a Treaty was signed by him and the Chiefs of Cabinda with England; and whoever says this, he declares a calumniator.

By command of the King,

(Signed) FRANCISCO FRANQUE,
Governor of Porto Rico.

We declare, upon our word of honour, that everything stated was precisely so related before us, with the crew of the said brig drawn up.

(The signatures of the crew follow.)

True copy.

(Signed) Joze Baptista d'Andrade,
Second Lieutenant, in Command.

True copy.

Office of the Secretary of the Governor-General of the Province of Angola, March 31, 1853.

(Signed) Carlos Possollo de Souza,
Secretary-General.

True copy.

(Signed) Antonio Pedro de Carvalho.

Inclosure 3 in No. 313.

Commander A. E. Wilmot to the Governor-General of Angola.

Sir, *"Harlequin," off the Congo, February* 12, 1853.

I HAVE the honour to inform you that Treaties for the total abolition of the Slave Trade, as well as for other purposes of commerce and civilization, are now signed by the King of Zanga-Tanga and Cape Lopez, at His Majesty's house at the former place, on the 2nd February instant, and with the King of Cabinda, at his residence at Cabinda, on the 11th instant; salutes of twenty-one guns fired upon these auspicious occasions.

I feel confident your Excellency will participate with me in the pleasure and satisfaction which those Treaties will undoubtedly give to our respective Governments.

I have, &c.

(Signed) ARTHUR P. EARDLEY WILMOT,
Commander, and Senior Officer of the Southern Division.

His Excellency the Governor-General of the
Portuguese Dependencies, Angola.

True copy.
Office of the Secretary of the Governor-General of the Province of Angola, March 15, 1853.
(Signed) Carlos Possollo de Souza,
Secretary-General.

True copy.
(Signed) Antonio Pedro de Carvalho.

Inclosure 4 in No. 313.

Commander A. E. Wilmot to Francisco Franco.

Francisco Franco, *"Volcano," Cabinda, February* 12, 1853.

I HAVE to acquaint you, as well as the other Mafucas, Chiefs, and head men of this country, that the King of Cabinda signed a Treaty yesterday with Great Britain, for the abolition of the Slave Trade. As you, Francisco Franco, acknowledge Mambuco Maniloemba to be King of this country, and were present at this palaver held yesterday at his house, you cannot plead ignorance of his position and authority. You are an educated man, and possess sufficient knowledge to comprehend the value of Treaties when once ratified. You are also aware of the intentions and determination of England with regard to the Slave Trade. Your own personal interest, as well as that of the whole of Africa, will be very much benefited by this Treaty. At this moment the Slave Trade is almost extinct. You have turned your attention to legitimate trade; why then do you hesitate about signing? Cabinda blockaded, which is a most simple and easy measure, would ruin you. My advice, then, to you is to sign the Treaty, and be good friends with Great Britain, or England. I must remind you, that any resistance against the King's authority will be visited with the anger of Great Britain.

Make this known to the other Chiefs of this country.

(Signed) ARTHUR P. EARDLEY WILMOT,
Commander and Senior Officer of Her Britannic Majesty's ship, South Division.

True copy.
Office of the Secretary of the Governor-General of the Province of Angola, March 12, 1853.
(Signed) Carlos Possollo de Souza, *Secretary-General.*

True copy.
(Signed) Antonio Pedro de Carvalho.

Inclosure 5 in No. 313.

The Authorities of Cabinda to the Governor-General of Angola.

(Translation.)

Illustrious and Excellent Governor-General of the Province of Angola and its Dependencies,

WE, the Undersigned, authorities of Cabinda, inform your Excellency that on the tenth day of February, the same steamer "Volcano" appeared again in this harbour, with the same Commander Wilmot, and that on the following day he came ashore with three boats, and went to the house of Mambuco, where we, all the authorities of Cabinda, were called, and as soon as we arrived we met the two commanders, six officers, four armed soldiers, the flag, and the interpreter Cabo Verde; and as soon as we arrived at the house of meeting, they presented to us a paper, which they told us was a Treaty to be made between us and England; upon which we answered that neither Mambuco nor any of us could make or sign any Treaty, as upon the first occasion when the commander went to the house of the King of Cabinda for the same purpose, the answer was given to him that the King of Cabinda was a black, and consequently could not make a Treaty with the King of Europe, and therefore he made no Treaty, nor could he sign any. And seeing that we also could not sign, at length threatening us in every way, we went on so for two hours; and then we all rose, and as it was now late, they sent two of the boats on board, the commander remaining with some officers and the interpreter Cabo Verde, with the intention, after we were gone, of remaining alone with Mambuco, with the object of getting him to sign, as they did. So that after we went away they went to the house where Mambuco was with his younger children; and knowing that the said Mambuco is a man of no knowledge, they used their influence as foreigners, asking him for one of his sons to be educated in England; and then they showed him a paper which he was to sign with a cross, telling him that it was a certificate, by which he might reclaim his son at any time in case he should stay away; by which urged and deceived, he signed the cross; and as soon as they got this they returned on board, and it was already six o'clock in the evening, and as soon as they reached the ship they began to salute with one-and-twenty guns. And when it was seven o'clock at night, three officers came to my house to me for me to sign, and when I would not, they showed me that Mambuco had signed, and to prove it they had his son on board; and I would not. At last they went on board, and on the following day on setting sail, he wrote to me telling me that on his return he would make me sign by force; therefore the King of Cabinda and we, all authorities of Cabinda, declare that the signature of Mambuco is null, as Mambuco has no greater powers than the real King of Cabinda to assent to such papers, for we are the subjects of the Queen of Portugal, whose dominion alone we desire.

Cabinda, February 20, 1853.

(Signed) KING MOMCUTA QIME.
FRANCISCO FRANCO,
Governor of Porto Rico.
PRINCE SAMBO.
PRINCE MOMGUNBE.

True copy.
Office of the Secretary of the Governor-General of Angola,
March 15, 1853.
(Signed) CARLOS POSSOLLO DE SOUZA,
Secretary-General.

True copy.
(Signed) ANTONIO PEDRO DE CARVALHO.

Inclosure 6 in No. 313.

The Authorities of Cabinda to the Governor-General of Angola.

(Translation.)

Illustrious and Excellent Governor-General of the Province of Angola and its Dependencies,

WE, the Undersigned, authorities at Cabinda, both ourselves and our predecessors for ages recognize in our country the Government of the Queen of Portugal; and under the protection of the Portuguese flag, and aid of the Government of Loanda, we have long lived and will live until death. We inform your Excellency that on the twenty-fourth day of January, the "Volcano," a war steamer of Her Britannic Majesty, arrived in this our harbour, having on board the Commander Arthur P. Eardley Wilmot, who in the name of Her Britannic Majesty presented to us a written paper with nine Articles, which he said was a Treaty which he wished to make with us in the name of his Queen, copy of which we forward to your Excellency, and also a letter written by the Commander, copy of which we also forward, in which he says that he is authorized by the Queen of England to make a Treaty of Alliance with us, offering to us a certain sum of money, and for some time threatening us with violence, and even with severe punishment, if we would not agree to the Articles of his infamous so-called Treaty, which he wished to conclude with us. As we being subjects of Her Most Faithful Majesty the Queen of Portugal, natives of Portuguese Africa, have, from the time we have been under her protection, been very happily governed by ourselves, yet we admit the Government of Loanda to be superior to us, and consequently Her Most Faithful Majesty the Queen of Portugal, with her philanthropy, has given us full liberty to be governed by ourselves, that we may have our own usages and customs, we appeal to it with unanimity from the threats of Commander Wilmot, on the part of Her Majesty the Queen of England. We all of common accord will never accede to what is demanded by the Commander Wilmot on the part of his Queen, and with arms in our hands we shall know how to respect the flag of Portugal, that which we acknowledge first and which waves upon our walls, until the Government of Loanda, on the part of the Queen of Portugal, gives us protection and help, as it is its duty. And if it shall do otherwise, and we shall be compelled to yield to the power of force, even then we will not assent to the propositions made to us by the Commander Wilmot on the part of the Queen of England; we will abandon our shores, withdrawing ourselves, and casting eternal malediction upon the first discoverers of our unfortunate country. We express ourselves because our ideas are very small, and our principles very poor. We believe that everything that has happened is brought to the knowledge of your Excellency, hoping that your Excellency will take everything into consideration.

Cabinda, February 20, 1853.

(Signed) KING MOMPUCUTA QIME.
FRANCISCO FRANQUE,
Governor of Porto Rico.
PRINCE SAMBO.
PRINCE MOMGUNBI.

True copy.
Office of the Secretary of the Governor-General of the Province of Angola, March 14, 1853.
(Signed) Carlos Possollo de Souza,
Secretary-General.

True copy.
(Signed) Antonio Pedro de Carvalho.

Inclosure 7 in No. 313.

The Governor-General of Angola to Commander A. E. Wilmot.

(Translation.)

Illustrious Sir,

BY the communications which you addressed to my predecessor on the 12th of February last, you say that Treaties were concluded on the 2nd of that month with the King of Zanga Tanga and Cape Lopez, and also with the King of Cabinda, in his residence, &c. The Government of Angola has had some vague notice of the events mentioned, but it could not believe them; and while it was in this uncertainty it received from you the confirmation which has caused great surprise. By another letter from you, dated the 16th of the same month, you observe positively that Great Britain does not recognise the claims of Portugal to any part of the territory of these coasts, beyond what is included between the 8th and 18th degrees of south latitude. You state that Treaties have been made with the King and Chiefs of those countries which you call independent, in accordance with instructions received from the Commander-in-chief of the British squadron. These and the other statements of those letters are, in my humble opinion, in entire contravention of the very solemn Acts which have been concluded between the Crowns of Portugal and Great Britain. As to the Additional Convention to the Treaty of the 22nd January, 1815, between the two Crowns, in Article II, sect. 2, it says: "The territories of the coast of Africa on the south of the equator, upon which His Most Faithful Majesty declared he reserved his rights, that is to say, the territories of Molembo and Cabinda, on the western coast of Africa, from 5° 12′ to 8° of south latitude." These rights of His Most Faithful Majesty are recognised by Great Britain in the above Convention, ratified by another Additional Convention of the 28th of July, 1817, implicitly declared in the further correspondence of the noble Lord Howard de Walden, on the 5th of May, 1839, addressed to the Baron da Ribeira Sabroza, and finally sanctioned in the Constitutional Charter of the Monarchy, in sect 2, Article I and Article III, a charter recognised by Great Britain and all civilized nations. By virtue, then, of such undeniable acts and documents agreed to and ratified with Great Britain, a great nation possessing excellent feelings and pure faith, I cannot persuade myself that such Treaties could be made so as to be valid, without a previous understanding between Her Britannic Majesty and Her Most Faithful Majesty, which I do not find to have existed, although I have given full consideration to the communications made by you to the Government of Angola upon this matter. It is my duty as a faithful subject who respects the rights of Her Most Faithful Majesty, which I am intrusted to watch over in this Government, to protest, as I do hereby protest, against such acts which are destitute of the necessary formalities, for which there is not, nor can be, any possible authority in the Government of Angola, because the rights in question are reserved to the Portuguese Crown, of which I shall give information to my Government. In the same letter you say, it appears extraordinary that the Portuguese authorities have taken no steps in these countries. To this observation I offer in reply the following:—It is well known and understood throughout Great Britain, that the kingdom of Portugal has been subjected to great disturbances, a state of things which will not, either in my country or in any other whatever, allow the Government to extend its whole attention and administrative care to all the parts of the monarchy, which must necessarily suffer in a similar way. This is the reply which I have to lay before you, in reference to your last letter of the 21st ultimo, and to the others sent before that, and addressed to my predecessor.

God preserve, &c.

(Signed) ANTONIO RICARDO GRACA,
Governor-General ad interim.

Palace of the Government in Loanda, March 1, 1853.

To the Commander of the brig "Harlequin,"
of Her Britannic Majesty's Navy.

True copy.
(Signed) CARLOS POSSOLLO DE SOUZA,
Secretary-General.

Secretary's Office of the General Government of the Province of Angola, March 12, 1853.

True copy.
(Signed) ANTONIO PEDRO DE CARVALHO.

Inclosure 8 in No. 313.

The Governor-General of Angola to Commodore Bruce.

(Translation.)

Sir,

BETWEEN the 24th of January and the 21st of February of the present year, this Government of Angola has received five letters from Captain Arthur P. Eardley Wilmot upon matters relative to the coast of Africa in the Portuguese territories, to which I replied on the 1st instant. There is, however, one subject upon which I find myself compelled to be urgent, and to bring to your notice. In the letter dated the 12th February, Captain Wilmot states that a Treaty has been made against slavery with the King of Zanga Tanga and Cabo Lopes, and on the 11th of February with the King of Cabinda, in his own residence. Notwithstanding all the consideration merited by the assertion of a British officer, I never can nor ought to consider that act as valid and legal. There are many very excellent reasons why I should judge in this way; and I am so fully persuaded that you will agree with me, because your disposition is noble, and you are a gentleman, an Admiral of a nation which prides itself upon justice in all its acts, an ancient and constant ally of the Portuguese nation, that it is scarcely necessary for me to bring forward as evidence the above-mentioned reasons which I offer for your observation.

There is between Great Britain and Portugal the Decree of the 10th December, 1836, and the Treaty of the 13th July, 1842, in which the two Crowns come to an agreement together upon all the means which may conduce to put an end to the inhuman Traffic, and for this sole object the cruizers were established; and in none of the above-mentioned Treaties do I discover an Article by which the cruizing officers of either nation can be invested with a diplomatic character, to make and conclude Treaties as such. The fact which Captain Wilmot asserts in his letter of the 12th February, that he on the 11th of that month concluded a Treaty with the King of Cabinda, contrasts not only with what I have said above, but also and especially with the message and information brought to me by a deputation of three headmen of Cabinda, and with the statements which I received upon the same subject from the Commanders of Portuguese cruizers; it being certain from what I see in those documents that neither the King, nor the other authorities of Cabinda, with the exception of the negro Mambuco, acquiesced in signing the said proposed Treaty; and even had they assented to the same it could not have been valid, because it was in opposition to the reserved rights which Her Most Faithful Majesty possesses over that territory. The negro Mambuco is hardly entitled even a Viceroy, not a King as he is named by Captain Wilmot; he is subordinate: he cannot read nor write, and consequently could not be acquainted with the import of the paper to which he signed a cross, having no one with him to explain it to him. Captain Wilmot says that Great Britain does not recognise the rights of Portugal over territories beyond the limits of 8° to 18° of south latitude. It seems that this worthy and excellent officer has no knowledge of the Treaty of the 22nd January, 1815, and the Convention additional thereto dated the 28th July, 1817, concluded between Great Britain and Portugal, still less of the Constitutional Charter of the Portuguese monarchy, to the strength of which Great Britain has so greatly contributed, recognised by all civilised nations; documents which do not admit of the smallest doubt, and in which the territories of the coast of Africa to which Her Most Faithful Majesty has declared rights, and those where she possesses reserved

rights, are laid down in an undeniable manner. The territories of Cabinda and Molembo are included in the declared rights.

These people have never ceased to acknowledge the sovereignty of Portugal, however it may be alleged that she has no authorities there; it is certain that they have always rendered homage to the Sovereigns of Portugal, and have sometimes had recourse to the protection of the Government of Loanda, and have even now called upon it by the message and deputation to which I have alluded; and they have acted well in this matter in not assenting to the signature of the proposed Treaty urged upon them, since it has never been admitted in the Law of Nations that people subject to a Sovereign could of themselves make Treaties with foreign Powers: more especially as there are other solemn Treaties between Great Britain and Portugal, none of the Articles of which can be altered without a very great violation of justice, and without the previous agreement of the two Contracting Powers between each other. This homage and submission of the Cabinda people is so completely unanswerable that their King, and other authorities representing those people, requested of the Count do Tojal, the Commander of a war-schooner cruizing there, a Portuguese flag, and spontaneously and without the smallest suggestion hoisted the same upon their walls, as an evident and significant mark of their sincere feelings. As Governor-General of Angola and its dependencies, I have the honour of being entrusted by Her Most Faithful Majesty with watching over her rights in these countries. There is no authority given to this Government to recognise Treaties which are not commanded to be observed by the Government of Her Most Faithful Majesty; it is also my strict duty to protest, as I do hereby protest, against all attempts or Treaties whatever which any may desire to make in territories where Her Most Faithful Majesty possesses indisputable rights, either declared or reserved. It is my duty to be a strict observer of the provisions of the Decree of the 10th of December, 1836, and of the Treaty concluded on the 3rd of July, 1842, for the suppression of the inhuman Slave Trade, as I have recently given decisive proofs, by commanding the captain of the Portuguese war-brig "Corimba," cruizing here, under strict instructions to burn, destroy, and throw down all the barracoons [barracas] which he might find in Ambriz, with evident marks of being intended for that immoral and repulsive Traffic, which he carried into effect by burning and destroying two, in which he found irons, kettles, and other objects intended for that infamous speculation, of which act I have official information.

God preserve, &c.

Palace of the Government in Loanda, March 10, 1853.

(Signed) ANTONIO RICARDO GRACA,
Governor-General ad interim.

To Illustrious and Excellent Senhor H. W. Bruce, Commodore,
Commander-in-chief of the British Naval Forces on the Coast.

True copy.
Secretariat of the General Government of the Province of Angola, March 10, 1853.
(Signed) CARLOS POSSOLLO DE SOUZA,
Secretary-General.

True copy.
(Signed) ANTONIO PEDRO DE CARVALHO.

Inclosure 9 in No. 313.

The Governor-General of Angola to Vice-Consul Brand.

[See Inclosure 10 in No. 290.]

No. 314.

The Earl of Clarendon to Sir R. Pakenham.

Sir, *Foreign Office, September* 23, 1853.

I HAVE received your despatch of the 8th instant, inclosing a copy of a note which you addressed to Viscount d'Athoguia on the 3rd instant, requesting the expulsion from Angola of the Brazilian slave-trader Flores, in compliance with instructions contained in my despatch to you of the 18th ultimo; and I have to inform you that I approve of the note inclosed in your despatch above-mentioned.

I am, &c.

(Signed) CLARENDON.

No. 315.

Sir R. Pakenham to the Earl of Clarendon.—(Received September 24.)

My Lord, *Lisbon, September* 18, 1853.

I HAVE had the honour to receive your Lordship's despatches of the 3rd instant.

I have fulfilled the instructions contained in your Lordship's second despatch of that date, by informing the Portuguese Government that Her Majesty's Government agree to the arrangement proposed by the Viscount d'Athoguia in his note of 30th June, by which both Governments will be bound not to sell any vessel condemned as a slaver, which in virtue of the option reserved by the XIth Article of the Treaty of July 1842, may have been retained by either of them for the use of their respective navies.

By a letter dated 16th August, from Mr. Morgan, Her Majesty's Consul at Bahia, I learn that the brig "*Sime*," formerly the "*Carvalho*," whose case gave rise to these explanations with the Portuguese Government, had arrived at Bahia on 13th August with a general cargo.

I have, &c.

(Signed) R. PAKENHAM.

No. 316.

The Earl of Clarendon to Count Lavradio.

Foreign Office, September 30, 1853.

THE Undersigned, &c., has the honour to acknowledge the receipt of the note addressed to him on the 12th of September by Count Lavradio, &c., stating that he has received instructions from Her Most Faithful Majesty's Government, directing him to claim reparation and satisfaction for the proceedings of Commander Bunce, who in August 1852 landed a large force from Her Majesty's ship "Castor" at Quissanga, a town in the possessions of the Portuguese Crown on the east coast of Africa, and there caused a vessel and a dwelling-house belonging to Portuguese subjects to be burnt.

The Undersigned regrets that the Government of Her Most Faithful Majesty should consider that they had any ground for complaint against British officers with regard to these occurrences at Quissanga, but the Undersigned feels convinced that when the evidence received by Her Majesty's Government respecting the conduct of Commander Bunce is weighed against the report of the judicial inquiry transmitted to the Undersigned by Count Lavradio, the case must assume an aspect different from that in which it has been represented to the Portuguese Government by the Governor of Ibo.

The principal accusations brought against Commander Bunce are: first, that he violated the Portuguese territory; and secondly, that he destroyed a new dhow (pangaio) and a dwelling-house belonging to Portuguese subjects, neither of which contained any indications that they were employed in the Slave Trade.

In answer to these charges, Commander Bunce states that on landing at

Quissanga he found flying on a rude staff on the beach a blue flag, which is the colour usually shown by the rebel chiefs on the east coast. When he entered the town, he asked for the Governor or Chief: an Arab presented himself: and when Commander Bunce asked if there were any Portuguese authorities in the place, he received from this Arab a reply in the negative. Commander Bunce further states that there was no established Portuguese authority in the place, nor any Portuguese person whatever, and that all the inhabitants were Arabs, natives, and negroes. The Undersigned has to observe that this statement is confirmed by one of the inclosures in Count Lavradio's note, which contains the depositions of twenty witnesses respecting Commander Bunce's proceedings, all of whom are stated to be Mahomedans.

Commander Bunce adds that, before he entered the town of Quissanga, he was most particular to ascertain if any Portuguese authorities were established there; and on receiving the answer "No! we are Arabs," he decided to make a search of the town.

With regard to the dhow and the dwelling-house, Commander Bunce, in his report to Commodore Wyvill of August 14, 1852, states that, on the 6th of August he boarded a large dhow lying off Quissanga, without colours, either flying or on board, which might indicate to what nation she belonged. On examination he found her to be fitted for the Slave Trade, the whole of her hold being laid with wicker mats, which were partially defiled by human excrement, as if the slaves had been very recently on board. She was also fitted with the usual upright stanchions for securing the wicker decks to, and she had besides an unusually large cooking-place.

In answer to the assertion that the dhow was new, and built at Quissanga, Commander Bunce states that three officers of considerable experience were with him when he boarded and examined her; and they all agreed with him in decided opinion that she was not new. He was, moreover, told by the Arab chief that she had come from the northward, and had called at Pangain and other places, which statement clearly proved that she had been to sea before. The recent marks of her slave-cargo were also evidence of this.

The Undersigned transmits herewith a copy of the report of two of the officers who examined the dhow.

With regard to the burning of the dwelling-house, Commander Bunce states that, in going through Quissanga, he discovered a barracoon for the reception of slaves, consisting of a large building, strongly staked and fenced round, evidently for the purpose of confining the slaves with security, and showing indications of having been recently occupied by a number of negroes. There was in the building a cooking-shed suitable for a large number of negroes, and there was also found therein gear which was recognized as having belonged to the dhow that had been destroyed, and which proved the connection of the one with the other.

These circumstances, connected with the fact of a great number of negroes being seen running away, were deemed sufficient proof of the establishment being for Slave Trade purposes, and it was accordingly burnt.

The third charge is, that Commander Bunce treated with disrespect the Portuguese flag, and the name of the Queen of Portugal; and that he declared that he did not recognize either the Portuguese flag or the Queen of Portugal.

The Undersigned begs leave to inform Count Lavradio that Commander Bunce has officially stated to Commodore Wyvill that there is no truth in the above charge. He states that when he was passing through the town, and when he was at a considerable distance from the flag-staff, a Portuguese ensign was brought out of a house under a man's arm, and shown to him. He told the natives to hoist it, but they would not do so, apparently because they were afraid that the populace would resist it; and the Chief took the flag and threw it aside contemptuously.

It appears from Count Lavradio's note, that the Portuguese Government have already had under their consideration the two letters from Commander Bunce, dated the 12th of August, 1852, copies of which were sent by Commodore Wyvill to the Governor-General of Mozambique, and which contain Commander Bunce's contradiction of the charges brought against him by the Chief of Quissanga; but Count Lavradio remarks upon this defence that, even if it were proved that there was no Portuguese authority at Quissanga, the burning of the dhow was an arbitrary act, because the Protocol under which Commander Bunce

professed to act only authorizes Her Majesty's ships to pursue and capture slave-vessels, in order that they may be brought before the nearest Mixed Commission, but not to destroy them; and Count Lavradio observes that, before Commodore Wyvill directed Commander Bunce to take the violent measures which he did, he ought to have applied to the Governor of Ibo, which is only a few miles distant from Quissanga.

The Undersigned has to acquaint Count Lavradio that Commander Bunce's reason for burning the vessel was, that she drew too much water to allow of her being got over the bar which lies between the Island of Ibo and the mainland; and he was unable to get her out in the direction of the Querimba Islands, because her sails were not in her. And even if Commander Bunce had been able to take her to the Cape of Good Hope, the Mixed British and Portuguese Court in that colony would not have taken cognizance of the case, because the dhow had neither flag nor papers. Commodore Wyvill, however, informed the Governor of Ibo that the case in question would be duly tried before the Vice-Admiralty Court at Cape Town, and offered to convey thither, in Her Majesty's ship "Castor," any evidence which the Governor of Ibo might wish to furnish.

With regard to the necessary communication to the nearest Portuguese authorities, the Undersigned has to acquaint Count Lavradio that that communication was made in two letters which Commodore Wyvill addressed to the Governor of Ibo and to the Governor-General of Mozambique respectively, on the 12th and 18th of August, 1852; and the Undersigned begs to observe that the Protocol of August 1847 only requires that the British officers who shall have occasion to make use of the permission thereby granted, shall "avail themselves of every opportunity to communicate to the nearest Portuguese authorities the circumstances which may take place in the exercise thereof, or, in default of such opportunities, to cause those circumstances to be made known in some other way to the Portuguese Government."

It is also to be borne in mind that Quissanga (though so close to Ibo) was the place from whence slaves were in the act of being procured in November 1851 for a Spanish barque, which ran ashore and was destroyed by Her Majesty's ship "Penguin;" and on that occasion a portion of the barque's intended slave-cargo had been actually shipped at Quissanga on board dhows, which were on their way to the barque before she was burnt.

Commodore Wyvill had likewise found by previous experience that the Portuguese authorities, so far from being ready to assist British officers in repressing the Slave Trade, afforded every facility for its continuance. He had learnt that the Governor of Inhambane permitted a slaver to lie at anchor off that port for three weeks, and to ship 1,000 slaves, during the month of December 1851; and also that the Governor of Ibo was in the habit of conniving with the slave-dealers.

The Undersigned conceives that the facts above stated clearly show that Quissanga was in the condition contemplated by the Protocol of the 12th of August, 1847; that is to say, that there were no Portuguese authorities established there, and that it was a place where great facilities existed for carrying on the Slave Trade, owing to the inability of the Portuguese Government to employ a sufficient naval force effectually to prevent that Trade.

And the Undersigned begs to state, that the vessel and the barracoon which were burnt at Quissanga by Commander Bunce having been so manifestly used for slave-trading purposes, Her Majesty's Government are of opinion that Commander Bunce would have neglected his duty if he had not destroyed them, and that the owners thereof are not entitled to claim compensation for their loss.

The Undersigned, &c. (Signed) CLARENDON.

Inclosure in No. 316.

Lieutenants Campbell and Reed to Commander Bunce.

Sir, "*Castor*," *August* 12, 1852.

AGREEABLY to your order of the 6th of August, we, the Undersigned, examined and measured a dhow lying off Quissanga on that day, and found her fitted for carrying slaves, her hold being covered with wicker matting for forming

a slave-deck, and upright stanchions, with notches for fitting the deck to; the matting was also defiled in some places with human excrement, and she had an unusually large cooking-place. She had no colours. Her dimensions were as follows: length, 60 feet; breadth, 20 feet; depth 18 feet. The dhow was destroyed by your order.

We have, &c.

(Signed) J. M. CAMPBELL, *Lieutenant.*
JOHN REED, *Lieutenant, R.M.*

No. 317.

Sir R. Pakenham to the Earl of Clarendon.—(*Received October* 4.)

My Lord, *Lisbon, September* 28, 1853.

I HAVE the honour, herewith, to inclose a translation of the answer which I have received from the Viscount d'Athoguia to the note which I addressed to his Excellency on the 3rd of this month, in fulfilment of the instructions contained in your Lordship's despatch of 18th August, a copy of which note I had the honour to transmit with my despatch of the 8th of this month, signifying the expectation of Her Majesty's Government that the Portuguese Government would order a Brazilian subject named Francisco Antonio Flores, to be expelled from the province of Angola on account of the attempts which he is believed to be making to revive the Slave Trade in that province.

Your Lordship will be sorry to see that the Portuguese Government refuse to accede to the wishes of Her Majesty's Government in this matter, because, says the Viscount d'Athoguia, "orders having been issued to the authorities of Loanda to cause the individual in question to be closely watched, and no clear proofs of his criminality having up to this time been adduced, the Government cannot, from simple suspicion, order to be expelled from a Portuguese possession a foreign subject, without offence to the nation to which he belongs, whose Government would not fail immediately, and with entire justice, to set up suitable complaints.

I have, &c.

(Signed) R. PAKENHAM.

Inclosure in No. 317.

Viscount d'Athoguia to Sir R. Pakenham.

(Translation.)

Sir, *Palace, September* 20, 1853.

I HAD the honour to receive the note which you were pleased to address to me on the 3rd instant, in which, with reference to the Brazilian subject Francisco Antonio Flores, resident at Loanda, you inform me that it is represented to Her Majesty's Government that he is at this moment employing his great wealth and predominant influence in the revival of the Slave Trade in the province of Angola.

You observe, on the part of your Government, that the presence of the said Brazilian subject ought not to be tolerated at any place within the Portuguese possessions where that illicit Traffic has at any time been carried on, owing to his being a well-known slave-dealer, and that as Her Britannic Majesty's Government give credit to Her Most Faithful Majesty's Government for a sincere desire to fulfil their engagements to Great Britain for the extinction of this hateful Traffic, they trust that the most positive orders will be sent for the expulsion of the said Flores from the province of Angola, as well as of any other persons resident there who may be concerned in his criminal schemes for the revival of this Traffic.

In answer to your above-mentioned note, it is my duty to state to you that Her Majesty's Government greatly rejoice that Her Britannic Majesty's Government do not doubt their sentiments with regard to the desire of contributing effectually for the complete extinction of the Slave Trade. With respect, however, to the sending of the orders alluded to, I must observe to you that the authorities of Loanda having been instructed to cause a strict watch to be placed upon the said individual, and no proofs of his criminality having been obtained up to the

present, the Government cannot upon simple suspicion order out of a Portuguese possession, a foreigner residing there, without offending the nation to which he belongs, the Government of which would not fail to put forth at once, and with full justice, a corresponding claim.

I renew, &c.
(Signed) VISCOUNT D'ATHOGUIA.

No. 318.

The Earl of Clarendon to Sir R. Pakenham.

Sir, *Foreign Office, October* 7, 1853.

I HAVE received your despatch of the 28th ultimo, and its inclosures, stating that the Portuguese Government decline to accede to the request which you made to the Viscount d'Athoguia in your note of the 3rd ultimo, for the expulsion from Loanda of the Brazilian slave-trader Francisco Antonio Flores, and that the Portuguese Minister justifies his refusal on the ground that such a proceeding would give rise to well-founded complaints on the part of the Brazilian Government.

I have in reply to instruct you to express to Viscount d'Athoguia the surprise and regret of Her Majesty's Government that their reasonable request should not be complied with, and to state that it is very unlikely that any complaint on account of the expulsion of Flores should proceed from the Brazilian Government, who have so honourably and successfully exerted themselves for the suppression of the Slave Trade.

I am, &c.
(Signed) CLARENDON.

No. 319.

Sir R. Pakenham to the Earl of Clarendon.—(Received October 15.)

My Lord, *Lisbon, October* 8, 1853.

I HAVE had the honour to receive your Lordship's despatches of the 23rd of December.

I beg leave herewith to lay before your Lordship copies of three letters, and of their inclosures, which I have received from Mr. Read, Her Majesty's Vice-Consul at Terceira, respecting a Portuguese vessel called the "*Laura*," which had sailed from that island, avowedly for Madeira, but which, from circumstances detailed in his letters, he suspects to be bound on a slaving voyage.

I inclose a copy of a note which I have written to the Minister for Foreign Affairs, directing his attention to the case of this vessel.

I have also written to Her Majesty's Consul at Madeira, requesting him to let me know whether the "*Laura*" makes her appearance at that island, in order that, if not, measures may be taken to enforce the bond into which, as your Lordship will have seen, the master was required by the Civil Governor of Terceira to enter for the *bonâ fide* character of his voyage.

I have, &c.
(Signed) R. PAKENHAM.

Inclosure 1 in No. 319.

Vice-Consul Read to Sir R. Pakenham.

Right Honourable Sir, *Terceira, September* 16, 1853.

I BEG to inclose a report similar to one I have prepared to send to Her Britannic Majesty's Consul at St. Michael's when an opportunity may offer.

As the vessel in question is preparing to leave this port in a few days, and uncertain when an opportunity may occur for my communicating with Mr. Hunt

on the subject, I have deemed it prudent to avail myself of a vessel bound to Lisbon direct, to transmit the report to your Excellency.

The Civil Governor of this district informed me to-day that it was his Excellency's intention to have a survey held on the "*Laura*," the result of which he would communicate to me.

The large quantity of water taken on board, farinha de pão, utensils similar to those made use of in slave-trading vessels, the non-taking of colonists from this island to Rio, is in harmony with the communication made last year by Her Majesty's Secretary for Foreign Affairs to Mr. Hunt, and to which I have called the serious attention of the Civil Governor of this district.

I have, &c.
(Signed) JOHN READ.

Inclosure 2 in No. 319.

Vice-Consul Read to Sir R. Pakenham.

Right Honourable Sir, *Terceira, September* 17, 1853.

I BEG to state that the vessel alluded to in my letter of yesterday's date left this port to-day at 5 P.M., cleared out for Rio de Janeiro *viâ* Madeira.

His Excellency the Civil Governor of this district acquainted me that he had required the owner to give a legal bond, and would furnish me with a copy thereof on the 19th instant, and there being no other vessel in port except the one that conveys this, I am not enabled to furnish your Excellency with a copy of that document on the present occasion.

I have, &c.
(Signed) JOHN READ.

Inclosure 3 in No. 319.

Vice-Consul Read to Sir R. Pakenham.

Right Honourable Sir, *Terceira, September* 18, 1853.

NOTWITHSTANDING the day being Sunday, his Excellency the Civil Governor sent me a communication, a copy of which I have the honour to transmit herewith to your Excellency, wherein it will be seen that a survey was held by the Captain of the Port on the provisions of the "*Laura*," and that her ostensible object in having those provisions on board was for the use of colonists from these islands, and not as indicating that the vessel was destined for the coast of Africa to be engaged in the Slave Trade.

His Excellency also states that, to avoid any clandestine embarkation of passengers from these islands, he had required the master of the "*Laura*" to give bond at the office of the Administrador do Conselho to the effect of presenting a certificate from the authorities of the district of Funchal to show that the vessel effectively called at the port of the Island of Madeira.

I beg leave to submit to your Excellency's better judgment the validity of the survey, it being comprised of one individual only; and that individual, a few days past, gave me to understand that it was his opinion that the vessel in question was not destined otherwise than the coast of Africa.

I regret his Excellency did not see fit to adopt the suggestion I pointed out to him, which was to order the fresh water to be started, and the casks to be refilled with salt water to ballast the ship, leaving a sufficiency of fresh for the use of the crew until the vessel's arrival at Madeira, as by so doing it would not only frustrate any intention of proceeding direct to the coast, but of taking passengers clandestinely from these islands.

I have, &c.
(Signed) JOHN READ.

Inclosure 4 in No. 319.

Report on the " Laura."

ON the 8th day of September, 1853, there arrived at the Bay of Angra, Island of Terceira, from Lisbon, a Portuguese vessel called the "*Laura*" (formerly "*Rosa*"), commanded by a Portuguese subject named Sylverio Severino d'Avellar.

The vessel is stated to belong to Antonio Severino d'Avellar, at present resident here, is of about 154 Portuguese tons measurement, and has on board a crew of nineteen men, composed of Portuguese subjects. No guns are visible, and it is said she is bound from this to Rio de Janeiro *viâ* Madeira.

Her consignee at this place is named João Severino d'Avellar, a relative of the owner.

A Spaniard named Rubastiauno is said to be the "caixa" or purser, and I hear that they style him as "capitão bandeira," which leads to conjecture that the Spanish flag may be used if convenience suits.

Her ostensible object here was reported at first to convey colonists to Rio Janeiro, but which idea was abandoned through the restrictions of the Portuguese Government on that head, and the bad sanitary state of Brazil, as stated by the owner to the Civil Governor of this district.

She has taken on board ninety casks of water (some very large ones), and thirty barrels of farinha de pão, an article not commonly used by vessels taking passengers from these islands to Brazil. It can be said, then, if the fever now prevalent in Brazil is detrimental to the natives of these islands, it may be equally so to those of Madeira, which causes a suspicion to arise that the voyage to Rio *viâ* Madeira is not the real one in contemplation.

Her hull outside is all black, with no streak; she is rigged as a brig schooner, with a maintop-sail and a topgallant-sail, carries a fore-royal, no main-royal, the heads of fore-royal-mast and maintop-gallant-mast have a gilt ball on each, with no vane in either; her masts have a slight rake aft; her bowsprit has very little steave. She has a topgallant-forecastle, in which the crew apparently live. She has a small fiddle-head, a very sharp overhanging bow, with a great run aft, a wreath of roses across the stern, edges of stern-hawsepipes, gilt. The wheel is about six feet abaft the mainmast, four large hen-coops on the quarter-deck, four large eye-bolts about three feet below the covering-board, three scupper-holes of a side. Rigging most particular: short bowsprit, single fore-stay, single foretopmast-stay, double mainstays, both set up on the port-side, one with tackles, the other with dead-eyes; maintopmast-stay sets up in the foretopmast-cross-trees.

British Vice-Consulate, Terceira, September 15, 1853.

(Signed) JOHN READ,
Vice-Consul.

Inclosure 5 in No. 319.

The Civil Governor of Terceira to Vice-Consul Read.

(Translation.)

Sir,

IN consequence of the survey which I caused to be made on board the Portuguese brig schooner "*Laura*," and of the information given by the captain of the port of this city, and of the account of the articles found in the ship, that there are no grounds for reputing those articles as evidence that the said brig is destined for the Slave Trade on the coast of Africa, but on the contrary, only as preparations for the transport of emigrants from this island to the Brazilian Empire, the ostensible destination of the ship in question; under these circumstances, and with a view to obviate the clandestine embarkation of passengers, I directed that the captain, Silverio Severino d'Avellar, should give a bond, which he did give yesterday in the District Council Office, whereby he binds himself to produce at the office of the Civil Government a certificate from the

proper authorities of the district of Funchal to show that the said vessel was in fact bound for the Island of Madeira; and I this day report to Her Majesty's Government all that has taken place respecting this vessel, to be used as convenient.

This is all that occurs to me to communicate to you in this matter.

With the most perfect esteem and high consideration, I am, &c.

(Signed) NICOLAU ANASTACIO DE BETTENCOURT.

Inclosure 6 in No. 319.

Sir R. Pakenham to Viscount d'Athoguia.

Sir, *Cintra, September* 29, 1853.

I LOSE no time in laying before your Excellency the inclosed copy of a statement which I have received from the British Vice-Consul at Terceira relative to a vessel called the "*Laura*," which sailed from that island on the 17th of this month, nominally for Madeira, but which your Excellency will perceive is from certain circumstances open to the suspicion of being bound on a slaving voyage.

Your Excellency may perhaps have received some information from the authorities of Terceira respecting this vessel; if not, the particulars contained in the accompanying statement will no doubt appear to your Excellency sufficient to require that every measure of precaution within the power of Her Most Faithful Majesty's Government should be taken to frustrate the criminal object for which she is supposed to have been sent to sea, and at all events, according to what may hereafter come to light respecting her, to enforce the responsibility of her owners and other persons concerned in her equipment, who, from the circumstances of the "*Laura*" being a Portuguese vessel, will naturally be amenable to Portuguese law, and subject to the action of the Portuguese tribunals.

I take, &c.

(Signed) R. PAKENHAM.

No. 320.

The Earl of Clarendon to Sir R. Pakenham.

Sir, *Foreign Office, October* 21, 1853.

I TRANSMIT herewith, for your information, a copy of the report and its inclosures which have been presented to the House of Commons by the Select Committee of that House, which was appointed to inquire into the Treaties and Engagements between Great Britain, Spain, and Portugal respecting the Slave Trade.

I am, &c.

(Signed) CLARENDON.

No. 321.

Count Lavradio to the Earl of Clarendon.—(Received October 22.)

M. le Comte, *Légation de Portugal, le* 22 *Octobre,* 1853.

D'APRES les ordres que je viens de recevoir de mon Gouvernement, j'ai l'honneur de transmettre confidentiellement à votre Excellence la note ci-jointe.

Les concessions que mon Gouvernement a fait, il avait, sans doute, tout le droit de les faire sans en rendre compte à personne; il a cru cependant qu'il serait convenable d'en donner connaissance au Gouvernement de Sa Majesté Britannique, pour prévenir quelque mal-entendu de la part des commandants des bâtiments Anglais employés à empêcher la Traite des Nègres en Afrique, et dont le trop de zèle a été plus d'une fois nuisible au commerce licite des sujets Portugais, et aux rapports des colonies du Portugal entre elles.

Il faut espérer que des établissements agricoles semblables à celui que l'on va créer dans l'Ile de Principe se multiplieront en Afrique, et qu'ils seront dans un prochain avenir d'une grande utilité pour le développement de l'agriculture Africaine, et pour hâter la complète et si désirable abolition de l'état d'esclavage dans toute l'Afrique. C'est principalement sous ces deux points de vue que mon Gouvernement se propose d'encourager ces établissements.

De cette communication, quoique confidentielle, votre Excellence pourra faire l'usage qu'elle trouvera convenable.

Veuillez, &c.
(Signé) LAVRADIO.

Inclosure in No. 321.

Regulation.

(Translation.)

JOAO MARIA DE SOUZA E ALMEIDA, proprietor and merchant in Benguella, has asked of the Government the concession of a portion of land in the Island of Principe at a rental, for an agricultural establishment; and for the working of this establishment he has asked that passage may be afforded by the Government for the blacks which he possesses as slaves, who, after receiving a letter of enfranchisement shall be delivered to him as guardian, they being obliged to work in that establishment for a certain number of years, agreeably to what is stipulated for those set free on board of ships captured as slavers.

The Government decided upon granting this concession, after hearing the Ultramarine Council, by establishing a regulation in which shall be settled the solemnities with which the enfranchisement shall be given, and the manner of securing to the freed-men proper treatment.

The letter of enfranchisement must be given previous to embarkation, and the freed-men marked with a symbol of liberty.

The delivery of the freed-men to their former master must be done by means of a public document, in which the guardian shall stipulate on behalf of the freed-men in Benguella, in the presence of the public Minister.

The libertos to remain in the Island of Principe, under the superintendence of a junta created conformably to that established in the Annex C to the Treaty of 3rd July, 1842.

The freed-men must be of both sexes, in equal numbers, as near as possible.

The time of service not to exceed seven years, and may be less.

If the concessionnee shall ill-treat any black, he loses his right to his labour. Means shall be given to the freed-men to keep their savings.

The freed-men to be inspected every six months by the guardian, and to be considered, to all legal purposes, as free people.

Secretary of State's Office for the Marine Department,
September 27, 1853.
(Signed) ANTONIO PEDRO DE CARVALHO.

No. 322.

Count Lavradio to the Earl of Clarendon.—(Received October 25.)

(Translation.) *London, October* 24, 1853.

THE Undersigned, Envoy Extraordinary and Minister Plenipotentiary of Her Most Faithful Majesty, has had the honour to receive the note which his Excellency the Earl of Clarendon, &c., addressed to him on the 30th September last, in reply to a note which had been addressed by the Undersigned to his Excellency on the 12th of that month, complaining of and asking reparation for two acts done by Commander Bunce in Quissanga (a Portuguese possession on the eastern coast of South Africa) in the month of August last year.

His Excellency the Earl of Clarendon, not estimating at their proper value

the documents proving the facts alleged by the Undersigned, but on the contrary solely guided by the report of Commander Bunce, would deny the existence of a part of the facts against which the Undersigned complains, and palliate the irregularity of those whose existence Commander Bunce dares not deny; and, to the great surprise of the Undersigned, his Excellency concludes that Commander Bunce would have failed in his duty if he had not acted as he did, and that therefore neither has Her Most Faithful Majesty's Government a right to any reparation for the acts done by Commander Bunce, nor have the Portuguese subjects any right to be indemnified for their property destroyed.

The Undersigned being unable to admit the correctness of the arguments by which his Excellency would deny a part of the acts alleged by the Undersigned, and palliate the rest of them, cannot in consequence admit the conclusion of his Excellency, because it is founded on incorrect grounds, which he begs leave to demonstrate.

In the first place the Undersigned takes the liberty of asking, Which has the greatest authority—the result of a judicial inquiry, or the declaration of the accused party?

The Undersigned asserted in his note of the 12th September last, founding his statements on documents which he had before him, that Commander Bunce had:

1. Failed in the respect due to the Portuguese flag, and to the august name of the Queen of Portugal, declaring that he recognized neither the one nor the other;

2. Violated the Portuguese territory;

3. Illegally burnt a pangayo and a house, which were the property of Portuguese subjects.

The Undersigned proved these facts by divers documents which accompanied the note above mentioned, but especially the result of the judicial inquiry instituted by the competent magistrate, according to the regulations of the Portuguese laws.

His Excellency the Earl of Clarendon does not admit the existence of the first acts alleged, because they were officially denied by Commander Bunce. Though this argument cannot appear conclusive to the Undersigned, particularly as there were proofs to the contrary, he has nevertheless no hesitation to admit it, on the grounds that the inhabitants of Quissanga did not understand the words spoken by Commander Bunce, and that he did not see that the flag they showed him was of two colours. And, in fact, it would be difficult to believe that an officer of the British Navy, being in his senses, would dare to insult the flag and name of the Sovereign of an allied nation.

The Undersigned, for the honour of the British Navy, which he greatly admires and respects, accepts, even previously to receiving new instructions from his Government, the defence of Commander Bunce, in reference to the two first-mentioned accusations, on the grounds, he admits, of the inhabitants of Quissanga not knowing the English language, in which he probably spoke to them, and of his not recognizing the two colours of the flag which they showed him.

With regard to the accusation of the violation of Portuguese territory, his Excellency wishes to maintain, by arguments which do not convince the Undersigned, that such violation did not exist.

The following is a summary of the arguments of the Earl of Clarendon to prove that Commander Bunce did not violate the territory:

1. That when he landed in Quissanga he found hoisted on the shore a blue flag, which is the flag used by the rebels on the eastern coast.

2. That when he entered into the town he asked for the Governor or Chief, and that an Arab was presented to him; and that when Commander Bunce asked him if there were any Portuguese authorities there, the Arab replied that there were not.

3. That Commander Bunce declared there were no Portuguese authorities there, nor any Portuguese at all, and that all the inhabitants were Arabs, natives of the place, or negroes. His Excellency observes that this is confirmed by one of the documents annexed to the aforesaid note of the Undersigned of the 12th of September, a document containing the depositions of twenty witnesses, all Mahomedans.

4. That Commander Bunce, before he entered into the town of Quissanga,

was desirous once more of learning if there was any Portuguese authority there but that the reply given to him was, "No, we are Arabs."

And if all this were correct, which it is not, as the Undersigned is about to prove, even then Commander Bunce could not consider himself authorized by the Protocols of the 12th August, 1847, and of the 19th November, 1850, to proceed as he did.

The contrary to what is affirmed by his Excellency in his note is found in the Report of the Commission of Judicial Inquiry, which the Undersigned had the honour to transmit to his Excellency, together with the note of the 12th of September.

By the depositions of the witnesses who appeared before the competent magistrate it is proved:

That the Portuguese flag was shown to Commander Bunce when he entered into Quissanga; but, with regard to this, the Undersigned has already admitted that the two colours, blue and white, were not seen by Commander Bunce, as he stated:

That, when he landed, the persons to whom he addressed himself declared to him that Quissanga belonged to the Queen of Portugal, and that the inhabitants were her subjects;

That Falume Chande Bun Imamo presented himself to him as Chief Captain of the land, and Bádre Buno Ayáiá as Chief Serjeant, both of them, although Arabs, Portuguese authorities, subject to the Governor of Ibo, and nominated by him.

The falsehood of the declaration that "there was not a single Portuguese" in Quissanga is proved by the accompanying document, which is signed by twenty-three Portuguese residing in Quissanga; but even had there not been there one single native of Portugal, the Arabs and negroes, natives of the country, did not cease, although Mahomedans, to be subjects of the Crown of Portugal, as a great number of Indians are subjects of Great Britain, although Mahomedans and idolaters.

But even admitting, for argument's sake, that Falume, the Chief Captain, and Bádre, the Chief Serjeant, were not Portuguese authorities; even in that case Commander Bunce was not authorised to act as he did, because there was, at a short distance from Quissanga (in Ibo, twelve miles off), the Governor of the Islands of Cape Delgado, under whose jurisdiction Quissanga lay, and to whom Commodore Wyvill, if he wished to proceed regularly, ought to have addressed himself, before ordering the expedition of Commander Bunce.

In view, then, of what is stated, the Undersigned persists in maintaining that the case supposed in the above-mentioned Protocols not having occurred, Commander Bunce, by landing with an armed force in Quissanga, and burning the house of a Portuguese subject, did commit an act of violation of territory, and did, illegally and by violence, deprive a Portuguese subject of his property.

It is remarkable that it should be alleged, as a proof that the property burnt was intended as a deposit for slaves, that many negroes were seen to run away from it when the English armed force appeared. How is it credible that the negroes should flee from their liberators? and how is it credible that, if this took place, the latter did not pursue his fugitives?

The Undersigned will now examine the arguments with which the Earl of Clarendon would maintain the right which Commander Bunce had to burn a Portuguese vessel which was lying close to the shore of a Portuguese possession.

The Undersigned, trusting in the documents so often mentioned, affirmed that the pangayo which was on the shores of Quissanga, had been built there; that it was the property of a Portuguese subject; that it was new, and had not even sailed, and therefore could not be accused of having been engaged in the infamous Traffic in Slaves, but that, even if it could have been, Commander Bunce had no right to burn it.

His Excellency, referring to the reports of Commander Bunce, says that the pangayo, by its internal fittings, and from certain filth found in it, was known to have been employed in the Slave Trade; and that, by the testimony of two other officers, subordinate to Commander Bunce, it is known that the ship was not a new one.

The Undersigned, without persisting either in affirming or denying that the pangayo was or was not new, and that it did or did not contain indications of

having been employed in the Trade, asks on what law or Treaty did Commander Bunce rely in burning the pangayo, which lay upon the shores of a Portuguese possession?

It was certainly not in the Treaty of the 3rd of July, 1840, nor in the Protocols of 1847 and 1850, nor was it in any Portuguese law, that he found this right. It is necessary to confess it: he found this right in his own will, in his own caprice, in the force which had been entrusted to him, not for the purpose of violating Treaties, but for supporting them.

The Undersigned, although he cannot admit, as his Excellency would maintain, that the pangayo ought to have been taken before the Vice-Admiralty Court at the Cape, but rather that it should have been brought before the proper Mixed Commission, will not now examine into this question, as he has now only to prove the illegality of burning the pangayo, and the unfavourable suspicions which this illegal act must throw upon the subsequent proceedings and the depositions of the person who ordered it to be done.

In order to defend himself from this illegality, which excites so much suspicion against the conduct of Commander Bunce, he says that the pangayo was lying in a position from which it was laborious and difficult to get out.

But if this was the case, and if Commander Bunce, attended by a great number of strong and able English seamen, required a good deal of time and labour to overcome this difficulty, what fear could there be that the pangayo could be got out in a short time by the efforts of the natives of the country, to be employed in the Trade, especially when they knew that they were closely watched by a considerable force?

For what reason did not Commander Bunce address himself to the Governor of Ibo, with whom he could have communicated in less than a couple of hours?

He did not even proceed to take an inventory of the articles contained in the vessel; and it is asked that full credit be given to one who knowingly acted in a manner illegal, violent, and accompanied by most aggravating circumstances, and none to a document emanating from a judicial authority proceeding with regularity, and following all the forms required by law!

The Undersigned will not fail to convey to the knowledge of his Government as early as possible the frightful though vague accusations which his Excellency (relying on the reports of the British cruizers) brings against the conduct of the Portuguese authorities in Africa, but particularly against the Governors of Ibo and Inhambane; and he may now already assure his Excellency that the Government of Her Most Faithful Majesty will hasten to investigate the conduct of those functionaries, and will cause them to be judged with all the rigour of the laws.

The Undersigned, however, has to observe to his Excellency, that the accusations which Commander Bunce brings against the present Governor of Ibo are remarkable, and difficult to reconcile with his recent evidence before a Special Committee of the House of Commons charged with examining the Treaties between Great Britain, Portugal, and Spain, relating to the abolition of the Slave Trade.

His Excellency says in his note of the 30th of September last, "that the Governor of Ibo was in the habit of conniving with the slave-dealers;" and Commander Bunce says in his evidence given before the above-mentioned Committee of the House of Commons (see the Report, p. 112), "This Governor (of Ibo) had only lately come." The Undersigned asks, how could the Governor of Ibo, lately arrived, be in the habit of conniving with the slave-dealers? It is to be hoped that the inquiry which Her Most Faithful Majesty's Government will, without doubt, direct to be made with respect to the conduct of the above-mentioned Governors, will demonstrate the injustice of the accusations brought against them.

The Undersigned is of opinion that he has sufficiently proved that Commander Bunce, misinterpreting the Protocols of 1847 and 1850, did violate the Portuguese territory, and illegally destroy property belonging to Portuguese subjects; and he therefore insists on the right of the Queen, his august Sovereign, to demand of Her Britannic Majesty's Government reparation for the violation of the territory, and a just indemnification for those of her subjects whose property was destroyed.

The Undersigned trusts that his Excellency the Earl of Clarendon, after having again investigated, with his well-known impartiality and intelligence, the facts stated by the Undersigned in his note of the 12th September last, and now once more recapitulated, will admit that their existence cannot be put in doubt, and that consequently the reparation and indemnification demanded by the Undersigned, in the name and by the command of his Government, cannot be refused by the Government of Her Britannic Majesty.

The Undersigned, &c. (Signed) LAVRADIO.

Inclosure in No. 322

Representation of the Inhabitants of Quissanga to the Governor of Mozambique.

Illustrissimo Excellentissimo Senhor,

UZANDO da faculdade que nos concedeo o digno Governador deste destricto, o Tenente da Armada Jeronimo Romero, mui respeitosamente tomamos a liberdade de dirigir esta manifestação popular a vossa Excellencia para que, por este meio, cheguem ao conhecimento do Governo de Sua Magestade as arbitraridades e violencias praticadas pelas lanchas da fragata Almirante commandadas pelo immediato da mesma, e bem assim o pouco respeito que mostrarão ao Governo da nossa Rainha nos dias 6 e 8 do corrente.

Herão 9 horas da manhaã do dia 6 d'Agosto quando os pacificos habitantes de Quissanga, subditos fieis de Sua Magestade Fidelissima, virão cinco lanchas Inglezas atracar abordo do pangaio "Systema Solar," cujo pertencia ao Governador dos Mouros, e logo immediatamente vimos que as forças navaes Inglezas lhe lançarão fogo athé ficar totalmente destruido.

Em poucos momentos, Excellentissimo Senhor, ficou reduzido á cinzas um pangaio novo, que ainda não tinha feito viagem, nem tinha á seu bordo couza alguma alem do mastro, que se pertendia levantar no mesmo dia.

Foi construido na mesma Quissanga com madeiras e operarios subditos Portuguezes; e o seu dono, que gastou tantos annos e tanto dinheiro para o fazer, ficou aterrado de ver em poucos momentos destruido o fructo dos seus trabalhos e das suas economias.

Não satisfeito ainda o immediato da fragata de ter mandado lançar fogo ao mencionado pangaio, e praticado um attentado contra o direito de propriedade; ainda fez mais: pelas duas horas de tarde saltou em terra na Quissanga com huma força de 100 á 120 homens, completamente armados, e logo prendeo e insultou ao Capitão-Mór, Falume Chande Bun Imamo.

Logo immediatamente o Capitão-Mór lhes mostrou a bandeira Portugueza, e lhes disse ao immediato da fragata commandante da força, que a Quissanga hera huma terra Portugueza, e os seus moradores subditos fieis a Sua Magestade a Rainha de Portugal, e que esperava que não commettessem ostilidades com uma nação amiga e alliada.

Os habitantes da Quissanga presenciarão e ouvirão com maior espanto disséra o commandante da força, que não reconhecia bandeira Portugueza nem ao Governo, nem Rainha nenhuma, e que só conhecia o seu Almirante. Um insulto tal, commettido na presença dos subditos de Sua Magestade, de certo não ficaria impune pelos habitantes de Quissanga, a não ser a recommendação que tivemos de nosso distincto Governador Romero, para que uzassemos de toda a moderação e prudencia para com as forças de Sua Magestade Britannica.

Immediatamente passarão revista a toda a povoação, entrarão em todas as casas, e como nada encontrarão que desse suspeitas ao desumano Trafico da Escravatura, se dispunhão á hirem para bordo; porem querendo antes deixar um signal da sua destrucção, lançarão fogo a casa do Governador dos Mouros tão sómente por encontrarem dentro o bico do pangaio queimado, que pertencia ao mesmo proprietario. Os pacificos habitantes da Quissanga presenciarão e virão estes desagradaveis acontecimentos, sem que da sua parte tivessem dado motivo. Elles não se devem confundir com os habitantes de Angoncha, nem com os habitantes de outros pontos da provincia, que tem estado constantemente em rebellão, tanto com o Governo de Sua Magestade como contra as forças navaes Inglezas.

Os habitantes de Quissanga, e villa de Ibo, com maior respeito e submissão,

pedem a vossa Excellencia justiça e protecção contra as arbitraridades das forças estrangeiras.

Deos guarde, &c.

Quissanga, 10 *de Agosto de* 1852.

Seguem 133 assignaturas Arabes e as seguintes Portuguezas:

Antonio José Solero.
José Maria Dias.
Luciano Policarpo Souza.
Theodorico da Silva Calheiros.
João José de Souza.
João Carlos Pinto.
Luiz José Pinto.
Joaquim José Dias.
Joaquim Gonza. de Souza.
Agostinho Salvador de Souza.
José Figueira.
Manoel Caetano Lisboa.
Manoel Geraldo Moraes.
José de Souza Caldas.
João da Silva Calheiros.
Francisco Mariano Gonzaga.
José da Silva Calheiros.
Antonio Mariano Gonzaga.
Antonio Alberto Pereira.
Francisco Antonio de Sigra.
Luiz Feliciano G. Barradas.
José Maria Reboche.
Bruno Vicente Gonçalves.

No. 323.

The Earl of Clarendon to Sir R. Pakenham.

Sir, *Foreign Office, October* 26, 1853.

I TRANSMIT herewith, for your information, a copy of a despatch* which I have received from Mr. Sunley, Her Majesty's Consul in the Comoro Islands, stating that he has been informed that the Slave Trade is actively carried on in the Portuguese territories on the east coast of Africa.

I am, &c.

(Signed) CLARENDON.

No. 324.

Sir R. Pakenham to the Earl of Clarendon.—(*Received November* 3.)

My Lord, *Lisbon, October* 28, 1853.

I HAVE had the honour to receive your Lordship's despatch of the 7th of October, and I have hastened to fulfil the instructions contained in it by expressing tothe Viscount d'Athoguia, in a note which I have the honour herewith to submit a copy, the surprise and regret of Her Majesty's Government that their reasonable request for the expulsion of the Brazilian slave-trader Francisco Antonio Flores, from the province of Angola, should not have been complied with.

In assigning, as a reason for this refusal, the probability of remonstrance on the part of the Brazilian Government if the request for the expulsion of Flores had been acceded to, Viscount d'Athoguia appears not to have borne in mind that the Brazilian Government have, of late, not shown any such scruples with regard to the expulsion of Portuguese subjects from Brazil, whenever there has been sufficient evidence, short of legal proof, of their having been concerned in the Slave Trade.

The published correspondence relative to the Slave Trade, furnishes numerous instances in which this power of expulsion has been exercised by the Brazilian Government; and in a note from the Brazilian Minister for Foreign Affairs to Mr. Hudson, dated 8th February, 1851, the intention of the Imperial Government to persist in this course "as one of the efficacious means for repressing the Traffic when the action of the penal laws cannot reach the parties," is distinctly announced.

Another note of the same date, from Senhor Paulino to Mr. Hudson, states that a Portuguese subject, named Joaquim Pinto de Fonseca, had, in consequence of some slave-trading transactions, "been ordered to quit the Empire, no legal proof being found to appear against him, and it being expected that he would be acquitted if sent before a jury."

* No. 268.

In your Lordship's despatch of 18th August, by which I was directed to apply to the Portuguese Government for Flores' expulsion, mention is made of certain documents existing in the archives of Her Majesty's Mission at Rio de Janeiro, of which your Lordship had instructed Her Majesty's Chargé d'Affaires at Rio to transmit certified copies, in order that they might be laid before this Government, as evidence of Flores' criminality.

Perhaps your Lordship may be of opinion, that when these papers are received, a suitable opportunity will present itself again to press for the banishment of Senhor Flores from Loanda, when advantage might be taken of the circumstance to which I have ventured to refer, namely, the unhesitating course pursued by the Brazilian Government with regard to Portuguese slave-traders, to show how unlikely it is that that Government should complain of the adoption of similar measures in this country with regard to Brazilian subjects, against whom there can be adduced equally convincing proofs of participation in the Slave Trade.

I have, &c.
(Signed) R. PAKENHAM.

Inclosure in No. 324.

Sir R. Pakenham to Viscount d'Athoguia.

Sir, *Lisbon, October* 25, 1853.

IT became my duty to transmit to Her Majesty's Government the note which I had the honour to receive from your Excellency on the 20th of last month, in which, in answer to my note of the 3rd of the same month, suggesting the expediency of causing to be expelled from the province of Angola a certain Brazilian subject, named Francisco Antonio Flores, on account of the efforts which he is notoriously making to revive the Slave Trade in that province, your Excellency is pleased to say that this recommendation on the part of Her Majesty's Government cannot be complied with, because such compliance could not fail to give offence to the nation to which the individual belongs, whose Government would immediately, and with all justice, make remonstrances on account of it.

Her Majesty's Government, after due consideration of the contents of your Excellency's note above referred to, have now instructed me to express to your Excellency their surprise and regret that their reasonable request should not be complied with, and to observe that it is very unlikely that any complaint on account of the expulsion of Flores should proceed from the Brazilian Government, who have so honourably and successfully exerted themselves for the suppression of the Slave Trade.

I take, &c.
(Signed) R. PAKENHAM.

No. 325.

Sir R. Pakenham to the Earl of Clarendon.—(Received November 3.)

My Lord, *Lisbon, October* 28, 1853.

BY your Lordship's despatch of the 3rd of September, your Lordship was pleased to authorize me to assent, on the part of Her Majesty's Government, to the arrangement proposed in Viscount d'Athoguia's note of the 30th of June last, by which both Governments will henceforth be bound not to sell, when no longer available for the public service, any vessel which, having been condemned for participation in the Slave Trade, shall have been retained for the public service, by virtue of the power reserved by Article XI of the Slave Trade Treaty of 1842 between Great Britain and Portugal.

I have now the honour to inclose a copy of a note which I addressed to the Viscount d'Athoguia on the 13th of September, in fulfilment of your Lordship's

instructions to the foregoing effect, and a translation of Viscount d'Athoguia's answer, from which your Lordship will see that in pursuance of the understanding thus come to by the two Governments, arrangements have been made to take back into the public service, as soon as she returns from the voyage on which she is now employed, the brig "*Carvalho*," whose sale under circumstances apparently at variance with the intention of Article XI of the Treaty of 1842, gave rise to the correspondence which has ended in the present satisfactory agreement.

I have, &c.
(Signed) R. PAKENHAM.

Inclosure 1 in No. 325.

Sir R. Pakenham to Viscount d'Athoguia.

Sir, *Lisbon, September* 13, 1853.

I DID not fail to transmit to Her Majesty's Government the note which I had the honour to receive from your Excellency on the 30th of June last, in which your Excellency is pleased to state that Her Most Faithful Majesty's Government would make arrangements to take again into the service of the State a vessel called the "*Carvalho*," which having been condemned by the Portuguese Prize Court at Loanda for participation in the Slave Trade and been retained in the public service, had in the early part of this year been sold by auction and become the property of a merchant at Lisbon, such arrangement to be subject to the condition, that Her Majesty's Government would interpret Article XI of the Treaty of the 3rd of July, as requiring "that slave vessels purchased for the service of the Royal Navy of either of the two nations, should not be sold when their service in the Royal Navy is found no longer necessary;" and Her Majesty's Government now authorize me to assent to the arrangements proposed in your Excellency's note above referred to, that is to say, that Her Majesty's Government engage to interpret Article XI of the Treaty of the 3rd of July, 1842, as "imposing upon both Governments alike the obligation not to sell any vessel condemned as a slaver, which in virtue of the option reserved by that Article may have been purchased by either of them for the use of their respective navies."

I take, &c.
(Signed) R. PAKENHAM.

Inclosure 2 in No. 325.

Viscount d'Athoguia to Sir R. Pakenham.

(Translation.) *Palace, October* 17, 1853.

I HAVE the honour to acknowledge the receipt of the note which you were pleased to address to me on the 13th of September last, informing me that you are authorized by Her Britannic Majesty's Government to declare that they agree to give to Article XI of the Treaty of the 3rd of July, 1842, between Portugal and Great Britain for the abolition of the Slave Trade, the interpretation that, slave vessels that are bought for the service of the Royal Navy of either of the two nations, may not be sold, even in the event of their services becoming afterwards unnecessary; and in consequence of this declaration, it is my duty to state to you, that with respect to the brig "*Carvalho*," mentioned in your above note, and which was lately sold by public auction, the marine department has taken the necessary measures, as I am informed in a despatch dated the 14th instant, that she may again enter the service of the Portuguese navy, as soon as she returns from her voyage to Bahia.

I renew, &c.
(Signed) VISCOUNT D'ATHOGUIA.

No. 326.

Sir R. Pakenham to the Earl of Clarendon.—(*Received November* 3.)

My Lord, *Lisbon, October* 28, 1853.

WITH my despatch of the 8th instant, I had the honour to transmit copies of letters and their inclosures which I had received from Her Majesty's Vice-Consul at Terceira, respecting the circumstances under which a Portuguese vessel, called the "*Laura*," had sailed from that port, and which were of a nature to justify the suspicion that she was bound on a slaving voyage.

With the same despatch I had the honour to transmit a copy of a note which I had written to the Minister for Foreign Affairs directing his attention to this case.

I have now the honour to inclose a translation of the Viscount d'Athoguia's answer, which states that the Portuguese Government had already received information of the suspicious circumstances attending the "*Laura*," and that circular orders had consequently been sent to the Governors of Angola, the Cape Verds, and St. Thomas, and Principe, pointing out the reasons which existed for suspecting that she was destined for the Slave Trade.

In my despatch of the 8th instant, I also took occasion to mention that I had written to Her Majesty's Consul at Madeira requesting him to let me know whether the "*Laura*" had made her appearance at Madeira, according to the bond into which her owner was obliged to enter before the vessel sailed from Terceira.

From the accompanying copy of Mr. Stoddart's answer, which I received this morning, your Lordship will perceive that the "*Laura*" did in fact arrive at the port of Funchal on the 25th of last month, and after a few hours' delay proceeded to sea again without having anchored.

This fact tends greatly to strengthen the suspicions which we had already reason to entertain respecting the character of this vessel; but it is still possible that she may have sailed either for the Brazils or the West Indies with a cargo of emigrants smuggled on board from some part of the island, not under the observation of the public authorities—a trade which is known to be extensively carried on, in violation of the law, for the sake of evading the passport duty and other impolitic restrictions which impede legal emigration from the Portuguese islands.

I will not fail to represent to the Portuguese Government the additional grounds for suspicion with regard to the "*Laura*" which arise from her hasty departure from Madeira, and in a still stronger degree from the fact mentioned in Mr. Consul Hunt's despatch to your Lordship of the 28th of last month, viz., that the ship is reported to belong to a certain Antonio Severino de Avellar, the person denounced to Her Majesty's Government as agent, in the Azores, for a Brazilian Slave Trade Association, and so mentioned in the Earl of Malmesbury's despatch* to Mr. Consul Hunt of the 19th May, 1852.

I have, &c.

(Signed) R. PAKENHAM.

Inclosure 1 in No. 326.

Viscount d'Athoguia to Sir R. Pakenham.

(Translation.) *Palace, October* 7, 1853.

HAVING immediately brought to the knowledge of the Marine Department the note which you were pleased to write to me on the 29th of September last, relating to the suspicions entertained with regard to the Portuguese vessel "*Laura*" being intended for the Slave Trade, I have the honour to acquaint you that I was informed through that department, on the 4th instant, that, previous to the transmission of your above-mentioned note, direct communication had been received there from the Civil Governor of the Island of Terceira, and from the Home Department, respecting the same suspicions; in consequence of which a circular was issued on the 3rd of this month to the

* See Class B, 1853, No, 183, page 350.

Governors of Angola, Cape Verd, St. Thomé e Principe, informing them of the departure of the said vessel, and of the indications which she offers for suspecting her to be intended for the Slave Trade.

I renew, &c.

(Signed) VISCOUNT D'ATHOGUIA.

Inclosure 2 in No. 326.

Consul Stoddart to Sir R. Pakenham.

Sir, *Madeira, October* 19, 1853.

I HAVE to acknowledge receipt of your despatch of the 29th ultimo, and I have to acquaint you in reply that the Portuguese vessel "*Laura*," to which it refers, stood into this port on the 25th ultimo, and after a few hours' delay, but without having been brought to anchor, proceeded to sea in a southerly direction.

The master, Sylverio Severino de Avellar, and another person landed from the "*Laura*" and reembarked, after having obtained from the competent authorities a certificate of the vessel having called here, and a bill of health, in which they requested that Fayal in the Azores might be inserted as the place to which they were bound. The master reported that he came here for orders, and communicated with Senhors Meyrelles and Co., whom he named as his consignees. I believe they have some business connections both in the Azore and Cape de Verd Islands, but their commercial transactions are not extensive.

I received on the 3rd instant a report of the suspicious character of the "*Laura*" from Her Majesty's Vice-Consul at Terceira, and as Her Majesty's steam-ship "Dover" came in here on the following day, on her voyage to the Gambia, I addressed an official letter to her commanding officer with all the information in my possession on the subject. I transmit herewith a copy of it, of which I trust your Excellency will approve.

I have also furnished the same information to the undernamed officers who have touched at this port during the present month in command of Her Majesty's ships; namely, Commander Parker, who sailed for the Cape of Good Hope on the 5th instant in the steam-sloop "Barracouta;" Commander Skene, who sailed on the 8th instant for Sierra Leone and the west coast of Africa in the brig "Philomel;" and Commander Hall, who sailed for Brazil in the steam-sloop "Stromboli" on the 15th instant, with a request that they would make it known to any other officers commanding ships of war with whom they might have communication on their respective voyages; and I have further brought it to the notice of Her Majesty's Acting-Consuls at Teneriffe, and St. Vincent Cape de Verdes, having felt it my duty to use every available means of its coming to the knowledge of all officers whose duty it is to search suspicious vessels, and to detain them if apparently engaged in lawless enterprises.

I have, &c.

(Signed) G. STODDART.

Inclosure 3 in No. 326.

Consul Stoddart to Mr. Mitchell.

Sir, *Madeira, October* 5, 1853.

I TRANSMIT herewith a copy of a letter which I received two days ago from the British Vice-Consul at Terceira, and have to request that you will make its contents known to any officer in command of any of Her Majesty's ships which you may meet with on your voyage to the Gambia, adding that the "*Laura*" (the vessel alluded to) called at this port on the 25th ultimo, but did not anchor, simply communicating with the shore and reporting being destined to the Island of Fayal in the Azores, for which place a bill of health was furnished her master.

On your arrival at the Gambia, you will be pleased to convey this information also to his Excellency the Governor of that Settlement.

I myself saw the vessel in question, and I cannot help thinking that there are grounds for the suspicions which all the circumstances have raised regarding her.

I have, &c.
(Signed) G. STODDART.

No. 327.

The Earl of Clarendon to Sir R. Pakenham.

Sir, *Foreign Office, November* 4, 1853.

I HAVE received your despatch of the 8th ultimo, reporting the steps which you had taken in consequence of information which you had received from Mr. Read, British Vice-Consul at Terceira, of the suspicious character of the Portuguese vessel "*Laura*," which had sailed from that island, as was suspected, on a slaving voyage.

And I have to inform you that I approve of your proceedings in this matter.

I am, &c.
(Signed) CLARENDON.

No. 328.

The Earl of Clarendon to Sir R. Pakenham.

Sir, *Foreign Office, November* 5, 1853.

I HAVE received your despatch of the 28th ultimo, inclosing copies of your further correspondence with the Portuguese Minister for Foreign Affairs respecting the proposal of the Portuguese Government that the Governments of Great Britain and of Portugal should bind themselves for the future not to sell, when no longer available for service, vessels which having been condemned as slavers had been employed in the service of either Government, and reporting that, under this arrangement, the brig "*Carvalho*" is to be taken back into the service of Portugal on her return from her present voyage. And I have to convey to you my approval of the arrangements which you have made in this matter.

I am, &c.
(Signed) CLARENDON.

No. 329.

The Earl of Clarendon to Sir R. Pakenham.

Sir, *Foreign Office, November* 5, 1853.

WITH reference to your despatch of the 28th ultimo, inclosing copies of your correspondence with the Portuguese Minister for Foreign Affairs and with Mr. Consul Stoddart respecting the suspicious circumstances under which the Portuguese vessel "*Laura*" had left the port of Terceira, I have to acquaint you that I approve of the steps which you have taken in the case of this vessel.

I am, &c.
(Signed) CLARENDON.

No. 330.

The Earl of Clarendon to Sir R. Pakenham.

Sir, *Foreign Office, November 5, 1853.*

I TRANSMIT herewith the certified copies* which I have received from Mr. Jerningham of the letters referred to in my despatch to you of the 18th of August, which were found in 1851, in the possession of Jacintho Derizans, the master of the slave-vessel "*Valoroso*," and which were stated to contain evidence showing that Francisco Antonio Flores, a Brazilian subject now resident at Loanda, was in the year 1850 engaged in carrying on the Slave Trade from Loanda.

I have to instruct you to communicate these documents to the Portuguese Minister for Foreign Affairs, and to renew the application which you were directed by my abovementioned despatch to address to his Excellency for the removal of F. A. Flores from Loanda.

You will take this opportunity of referring to the apprehension which Viscount d'Athoguia expressed to you in his note of the 20th of September as to the probability of the Brazillian Government resenting the expulsion of a Brazilian subject from a Portuguese colony; and you will state to his Excellency that when it is borne in mind that there have been several notorious cases in which the Brazilian Government has not hesitated to expel from Brazil Portuguese subjects who were suspected of being engaged in the Slave Trade, it is not very likely that the Brazilian Government will complain of the expulsion from Loanda of such a well-known Brazilian slave-trader as Francisco Antonio Flores.

I am, &c.
(Signed) CLARENDON.

No. 331.

The Earl of Clarendon to Sir R. Pakenham.

Sir, *Foreign Office, November 5, 1853.*

WITH reference to Mr. Consul Hunt's despatch of the 28th September, of which he informs me that he has transmitted to you a copy, I have to inform you that I have instructed Mr. Hunt to convey to Vice-Consul Read my approval of his proceedings in the case of the "*Laura*," as reported in that despatch. And with reference to what Mr. Hunt states as to the imperfect manner in which the survey of the "*Laura*" was conducted by the Portuguese authorities at Terceira, I have to instruct you to request that the Government of Her Most Faithful Majesty will issue orders to all the Civil Governors of the Azores, directing them to make such surveys in strict conformity with the VIIth Article of the Portuguese Decree of December 10, 1836, which requires that such surveys shall be conducted by the Civil Governor and by one of the principal officers of Customs.

I am, &c.
(Signed) CLARENDON.

No. 332.

The Earl of Clarendon to Count Lavradio.

Foreign Office, November 5, 1853.

THE Undersigned, &c., has the honour to acknowledge the receipt of the note addressed to him on the 24th of October, by Count Lavradio, &c., renewing his request that Her Majesty's Government will compensate the owner of the vessel and the barracoon which were destroyed by Captain Bunce, of Her Majesty's ship "Castor," at Quissanga, in August 1852.

* See Inclosures in No. 114.

The Undersigned has attentively considered the arguments upon which Count Lavradio founds his refusal to accept as satisfactory the defence of Captain Bunce's proceedings, which is contained in the note which the Undersigned addressed to Count Lavradio on the 30th of September.

Those arguments are as follows:

1. Count Lavradio says that the depositions of the Arab witnesses, which he has communicated to Her Majesty's Government, were taken in due legal form, and were the result of a judicial inquiry; and that the simple denial of Captain Bunce, the accused party, cannot be set against such evidence.

Count Lavradio, however, states that he is ready to accept Captain Bunce's contradiction of that portion of the judicial evidence in question which accuses him of having spoken disrespectfully of the Queen of Portugal and of the Portuguese flag; for Count Lavradio says that it is possible that, on the one hand, the inhabitants of Quissanga did not understand what Captain Bunce was saying; and that, on the other hand, Captain Bunce did not see that the flag which was shown to him was a flag of two colours, viz., white as well as blue.

2. Count Lavradio maintains that Falume Chande Bun and Badre Buno Ayaia, who presented themselves to Captain Bunce as Chief Captain and Chief Serjeant of Quissanga, were, although Arabs, Portuguese authorities appointed by the Governor of Ibo.

3. Count Lavradio asks what right Captain Bunce had to burn the dhow which he found lying on the shore at Quissanga; and with reference to the statement of Captain Bunce, that she was in a position out of which it was difficult for him to extricate her, Count Lavradio adds, that if Captain Bunce, with a great number of strong and skilful English sailors, required a long time and great exertion for such an undertaking, there could be no good reason for apprehending that the dhow might be soon got out by the natives of the country, in order to be employed in the Slave Trade.

4. Count Lavradio repeats his former inquiry, why Captain Bunce did not apply to the Governor of Ibo, with whom he could have communicated in less than two hours; and he complains that the charges brought by Commodore Wyvill against the Portuguese authorities in Africa, and particularly against the Governors of Ibo and Inhambane, are vague; and that the statement of the Undersigned, in his note of September 30, that the Governor of Ibo was in the habit of conniving at the slave-dealers, is inconsistent with the evidence given before a Committee of the House of Commons by Captain Bunce, who stated therein "that the Governor of Ibo had only lately come."

With regard to the first point, the Undersigned begs to state that he has examined with particular attention the details of the judicial inquiry upon which Count Lavradio lays so much stress. It appears that the Governor of Ibo took as the groundwork of that proceeding two letters which were addressed to him on the 6th and 8th of August, 1852, by the Arab Chief Captain of Quissanga, complaining of Captain Bunce's proceedings; and the statements contained in those letters were embodied by the Governor in eleven questions, to which the Deputy Attorney-General was directed to obtain answers. They were as follows:

1. What is the name of the proprietor of the dhow?
2. Was the dhow new, and had she ever made a voyage?
3. Where was she built?
4. To what place did the owner intend that she should sail?
5. What was her exact tonnage?
6. Had she on board provisions, or water, or any trace of Slave Trade (escravatura)?
7. Why did the English burn the house belonging to the Governor of the Moors?
8. Was there any sign of Slave Trade in that house?
9. Circumstantial information to be obtained as to the truth of the statement that the English captain refused to recognize the Portuguese flag which the Chief Captain showed him.
10. To ascertain clearly whether the English captain said that he knew nothing either of the Queen or of the Government of Portugal.
11. To inquire also whether it is true that the English captain said that he could, if he chose, set fire to the whole coast, because he did not acknowledge any one except his own Admiral.

Lastly. The Deputy Attorney-General was instructed to procure any further information which he could obtain respecting this affair, in order that the Portuguese Government might be enabled properly to uphold the dignity and honour of the Portuguese flag.

Twenty Arab witnesses were summoned, and they all returned nearly identical answers to the above questions; the only material variation being with regard to the amount of the dhow's tonnage; and the result was that these twenty depositions were an exact counterpart of the Chief Captain's two letters.

No other question, except those contained in the instruction from the Governor of Ibo, appears to have been put to any of the witnesses; and it is obvious that most of the questions relating to the dhow and to the Governor's house were such, that if the witnesses had given any other answers than those which they gave, they would have criminated the proprietor of the dhow and of the barracoon, who was one of their chief men (Boana Xaque Daly, Governador dos Mouros).

Moreover, although these questions were put, and the concurrent answers were recorded, by a Portuguese law officer, the whole inquiry can only be regarded as an *ex parte* proceeding, which, as far as it went, may have been quite regular, but the Undersigned conceives that it cannot be considered as conclusive, because the accused party was not present at the inquiry, neither was he represented by any advocate who could have examined the witnesses, and could have produced opposing testimony.

2. In answer to Count Lavradio's statement that Falume Bun and Badre Ayaia, although Arabs, were Portuguese authorities, the Undersigned begs leave to observe that the whole question as to whether or not Captain Bunce's proceedings were justifiable, turns upon this point; for according to the terms of the Protocol of August 12, 1847, the power given to British cruizers of entering places within the dominions of the Crown of Portugal on the east coast of Africa, in order to suppress the Slave Trade, is limited to places where no Portuguese authorities are established; and it is clear from Count Lavradio's statement that the only authorities in Quissanga were Arabs and not Portuguese, and therefore, although these Arabs may have been subordinate to and named by the Governor of Ibo, Her Majesty's Government must maintain that Quissanga was a place which Captain Bunce was empowered by the Protocol to enter.

3. In answer to Count Lavradio's question as to the right of Captain Bunce to burn the dhow, the Undersigned can only repeat what was stated in his note of the 30th of September; viz., that the dhow was found without having on board any colours to show what was the nation to which she belonged; and that she was equipped for Slave Trade, the whole of her hold being laid with wicker-mats, which, moreover, were partially defiled by human excrement, as if the slaves had been very recently on board; she was also fitted with the usual upright stanchions for securing the wicker-decks to; and she had besides an unusually large cooking-place: and in answer to Count Lavradio's remark, that if the English sailors were not able to get the dhow to sea, there was no reason to apprehend that the natives might employ her in the Slave Trade, the Undersigned begs leave to observe, that it has been already explained to Count Lavradio, that the reason why Captain Bunce was not able to get the dhow out to sea, was, because her sails were not on board; but if she had not been destroyed, the sails could soon have been supplied by the Arab owner, and she might have been sent to sea by him.

4. In answer to Count Lavradio's complaint, that Captain Bunce did not apply to the Governor of Ibo before he proceeded to Quissanga, the Undersigned has to state, that Captain Bunce received his orders from Commodore Wyvill, who was the proper person to exercise his discretion in deciding whether it was expedient or not to communicate with the Governor of Ibo before he sent the boats of the "Castor" to visit Quissanga. With regard to this matter, it appears from Captain Bunce's evidence before the Select Committee of the House of Commons in 1853, that in 1850 Commodore Wyvill sent an officer to Major Mascarenhas, who was then Governor of Ibo, to tell him that the Commodore understood that the Slave Trade was carried on to a great extent in the neighbourhood of Ibo; and the Commodore begged that Major Mascarenhas would give, in conformity with the Treaty of 1842, his assistance to the English, in endeavouring to stop the Traffic. Major Mascarenhas replied, that he was

not aware that there was any such Traffic; but that the paucity of the force at his disposal put it quite out of his power to render any assistance to Commodore Wyvill.

Now when this reply of Major Mascarenhas is considered in connection with what took place at Quissanga in November 1851, as stated in the note from the Undersigned of September 30, it is not surprising that Commodore Wyvill should have made the declaration recorded in that note, namely, that previous experience had convinced him that the Governor of Ibo was in the habit of conniving at the slave-dealers; and it appears to the Undersigned, that under these circumstances the Commodore was fully justified in determining, not only to send Captain Bunce to visit Quissanga, but also to abstain from previous consultation with the Governor of Ibo.

The Undersigned begs leave further to state, that as there were no authorities at Quissanga except an Arab chief captain and chief serjeant, Her Majesty's Government consider that Captain Bunce was borne out in concluding that he was authorized by the terms of the Protocol of 1847, "to pursue and capture any slave-vessels which might be found in that place, and also to destroy any barracoons or other arrangements which might be made on shore for purposes of Slave Trade." And as Captain Bunce has shown that the dhow and barracoon in question were being employed for those purposes, Her Majesty's Government cannot entertain any claim on the part of the owner of that vessel and of that building to receive compensation, unless he shall first establish that claim before the proper tribunal at the Cape of Good Hope.

The Undersigned, &c. (Signed) CLARENDON.

No. 333.

Count Lavradio to the Earl of Clarendon.—(*Received November* 8.)

(Translation.) *London, November* 6, 1853.

THE Undersigned, Envoy Extraordinary and Minister Plenipotentiary of Her Most Faithful Majesty, has the honour to acknowledge the receipt of the note addressed to him on the 5th instant by his Excellency the Earl of Clarendon, &c., in answer to the note which the Undersigned had the honour to address to his Excellency on the 24th ultimo.

The Undersigned has read his Excellency's note with due attention; and although he is convinced of the inconclusiveness of the arguments brought forward by his Excellency for the purpose of refuting those used by the Undersigned in his previous notes of the 12th of September and of the 24th of October last, in order to prove the irregularity of the proceedings of Commander Bunce at Quissanga, under the orders of Commodore Wyvill, and in order to obtain reparation for those acts, yet the Undersigned thinks proper to abstain from replying to his Excellency's last note until he shall receive from his Government fresh orders, which he is about to request without delay.

The Undersigned, however, considers it to be his bounden duty again to protest solemnly, in the name of the Queen his august Sovereign, against the violation of territory committed at Quissanga by Commander Bunce, and against the illegal destruction, under his orders, of property belonging to Portuguese subjects.

The Undersigned, &c. (Signed) LAVRADIO.

No. 334.

Sir R. Pakenham to the Earl of Clarendon.—(*Received November* 16.)

My Lord, *Lisbon, November* 10, 1853.

I COPY from the newspaper called the "Revoluçaõ de Septembro," of the 7th of this month, the following article, which may be satisfactory to Her Majesty's Government, as showing in what light the Slave Trade is viewed by the organ of the popular party in this country:

"In the last numbers of the 'Correio Mercantil,' published at Rio de Janeiro, we read the following:

"We are informed that by the last vessel arrived from the coast of Africa news was received that preparations were being made there for an attempted importation of Africans into Brazil.

"We are also informed that some measures have been taken upon this subject.

"We sincerely hope that the Portuguese possessions have taken no part in this attempt, not only because of the general considerations against the Traffic, but also, as capture and the loss of the slaves is almost infallible, we would lose, besides the labouring hands exported, the capital embarked in such a speculation to the prejudice of legal commerce which has of late so much increased.

"There can be no doubt that the Slave Trade would now ruin the Ultramarine provinces, and cause great loss to the trade of Lisbon.

"Two or three unsuccessful slaving speculations undertaken, say by the merchants of Loanda, would retard its commercial development full twenty years, and cause an immense loss to Lisbon."

I have, &c.
(Signed) R. PAKENHAM.

No. 335.

Sir R. Pakenham to the Earl of Clarendon.—(*Received November* 16.)

My Lord, *Lisbon, November* 10, 1853.

I HAVE the honour herewith to inclose copies of two notes which I addressed to the Minister for Foreign Affairs, the first on the 12th of July last and the second on the 2nd of this month, reminding his Excellency, as directed by your Lordship's despatch of the 30th of June, of the proposition made to this Government so far back as the year 1851, for the removal of negroes liberated by the Mixed British and Portuguese Commission at Loanda to Sierra Leone; the proposal being on this last occasion accompanied by an offer on the part of Her Majesty's Government to defray the expense of such removal.

I have the honour also to inclose a translation of the answer which I have received from the Viscount d'Athoguia on this subject, from which your Lordship will perceive that, for reasons which appear to be taken in a great measure from the Curator's report transmitted with your Lordship's late despatch, and also in view of the presumed improbability that the number of liberated negroes should henceforth become inconveniently great, the Portuguese Government are of opinion that the negroes so circumstanced should continue in their present employments until the expiration of the term of their apprenticeship.

I have, &c.
(Signed) R. PAKENHAM.

Inclosure 1 in No. 335.

Sir R. Pakenham to Viscount d'Athoguia.

Lisbon, July 12, 1853.

WITH reference to the note which the Undersigned, &c., had the honour, on the 9th of August, 1851, to address to Her Most Faithful Majesty's Minister for Foreign Affairs respecting the difficulty which had been experienced in finding suitable employment within the Portuguese settlements for negroes emancipated by the Mixed British and Portuguese Courts on the coast of Africa, and proposing, on the part of Her Majesty's Government, that such

negroes should be sent to Sierra Leone or to Liberia, where they would be sure to enjoy their liberty and would easily find employment; the Undersigned has now the honour to inclose for the Viscount d'Athoguia's information a copy of a despatch which Her Majesty's Government lately received from the British Commissioner at Loanda, inclosing a report from the Curator of the liberated Africans respecting the condition of the negroes under his charge.

The Undersigned is instructed, in communicating these papers to Her Most Faithful Majesty's Government, to say that as it appears that there is some difficulty in treating those negroes in the slave-holding colony of Angola in strict conformity with the stipulations of Annex C to the Treaty of 1842, Her Majesty's Government are willing at their own expense to relieve the Colonial Government of Angola from the charge of these persons and to remove them to some British colony.

The Undersigned begs leave to recommend this matter on account of its importance to the early attention of his Excellency the Viscount d'Athoguia, and he takes, &c.

(Signed) R. PAKENHAM.

Inclosure 2 in No. 335.

Sir R. Pakenham to Viscount d'Athoguia.

Sir, *Lisbon, November* 2, 1853.

I BEG leave to recall to your Excellency's recollection a note which I had the honour to address to your Excellency on the 12th of July last (referring to a former note to your Excellency on the same subject), respecting the condition of the negroes emancipated by the Mixed British and Portuguese Commission at Loanda, and containing a proposition on the part of Her Majesty's Government for the removal of such negroes to Sierra Leone, free of expense to Her Most Faithful Majesty's Government.

By a note dated the 18th of July, your Excellency was pleased to inform me that my note on the above-mentioned subject had been referred to the Marine Department, in order that the necessary information might be obtained to enable your Excellency to give me an answer on the matter to which it related; but since that date I have not had the honour to receive any further communication from your Excellency on the subject in question, which is nevertheless one of importance to the accomplishment of the beneficial views of the two Governments on all matters connected with the suppression of the Slave Trade.

I have, &c.

(Signed) R. PAKENHAM.

Inclosure 3 in No. 335.

Viscount d'Athoguia to Sir R. Pakenham.

(Translation.) *Palace, November* 4, 1853.

I HAVE the honour to acknowledge the receipt of your note of the 2nd instant, pressing for an answer to those which you addressed to me on the 9th of August, 1851, and 12th of July last, in which you request, in the name of your Government, that the liberated negroes existing at Angola should be transferred at the expense of that Government to Sierra Leone or Liberia, where they would more readily be apprenticed.

In answer, I have to state to you that I have been informed through the Marine Department, to which I transmitted your above-mentioned notes, that, from the last report of the Curator of liberated negroes, it appeared that these were all employed, in accordance with the provisions of the Treaty of the 3rd of July, 1842, and that the treatment they received was truly satisfactory.

Notwithstanding, however, that it is stated in the said report that two of those liberated negroes do not apply themselves assiduously to their trades, and neglect their work, this is no matter for surprise, inasmuch as, whatever may be their position, it cannot be expected that every one of them should behave well, and defects of this nature are often met with among freemen.

It is my duty to add, that the Board of Superintendence watches, as it ought, over the execution of the Treaty and the improvement of the liberated negroes, and it is to be expected that the fears which arose in 1851, owing to the difficulty in providing employment for such as had been up to that time delivered over to the said Board, will not occur again, inasmuch as the measures adopted by the European Governments and those of the Continent of America for the abolition of the Traffic, ought certainly to contribute towards preventing the number of liberated negroes by sentence of the Mixed Commission from increasing.

In consideration, then, of what I have the honour to state, I trust that you will, together with Her Britannic Majesty's Government, admit that, as the treatment of those individuals is satisfactory, and their improvement in the different trades for which they are intended is manifest, it would not be proper to separate them from their occupations till such time as their apprenticeship was up.

I renew, &c.
(Signed) VISCOUNT D'ATHOGUIA.

No. 336.

Sir R. Pakenham to the Earl of Clarendon.—(Received November 16.)

My Lord, *Lisbon, November 10, 1853.*

WITH my despatch of the 28th of October I had the honour to transmit a copy of a note which I addressed to the Viscount d'Athoguia on the 25th of last month, expressing, as desired by your Lordship's despatch of the 7th of October, the surprise and regret of Her Majesty's Government that their request for the expulsion of a well-known slave-trader, named Francisco Antonio Flores, from the province of Angola should not have been complied with.

I have now the honour to lay before your Lordship a translation of the Viscount d'Athoguia's answer to my note of the 25th of October, in which his Excellency, after repeating the objections put forward in his former note to comply with the application for the expulsion of Flores, proceeds to say that, "if it should be shown by any act of the said Flores that he contributes to the revival of the odious Traffic, Her Most Faithful Majesty's Government will oblige him to quit the province, or punish him."

I have, &c.
(Signed) R. PAKENHAM.

Inclosure in No. 336.

Viscount d'Athoguia to Sir R. Pakenham.

(Translation.)

Sir, *Palace, November 4, 1853.*

I HAVE the honour to acknowledge the receipt of the note which you were pleased to address to me on the 25th of October last, expressing the regret of your Government at the refusal of Her Majesty's Government to cause strict orders to be issued, as requested by you in your note of the 3rd of September last, for the expulsion from Loanda of the Brazilian subject Francisco Antonio Flores, in consequence of the criminal endeavours which he is said to carry on for the revival of the illicit Traffic in Slaves in the province of Angola.

In reply, it is my duty to say to you, that it is surely very unfair to punish a citizen or subject of a foreign nation upon mere suspicion, and England, more than any other country, keeps this principle in view, and follows it. In the

meantime, I can at once assure you that, if by any act of the said Flores it should be shown that he contributes to the revival of that odious Traffic, Her Majesty's Government will cause him to quit the province or will punish him, and in such case no complaint will surely be made on the part of the Brazilian Government; but unless the crime is proved, what could be expected but that the said Government would defend their subject, as England would do in a similar case?

I avail, &c.

(Signed) VISCOUNT D'ATHOGUIA.

No. 337.

The Earl of Clarendon to Count Lavradio.

Sir, *Foreign Office, November* 17, 1853

I HAVE had under consideration the letter which you addressed to me on the 22nd ultimo, inclosing a translation of a memorandum stating the conditions upon which the Portuguese Government has determined to grant to M. de Souza e Almeida, of Benguella, a license under which he is to liberate his slaves now in Benguella, and is to be allowed to convey them from thence to Prince's Island, where they are to be employed as labourers on his estate for a period not exceeding seven years.

Your letter explains that this communication is made to Her Majesty's Government, in order to prevent the occurrence of any misunderstanding, in case the vessels conveying M. Almeida's negroes should be met at sea by a British cruizer; and I have the honour to state to you in reply, that I am fully convinced that the Portuguese Government are sincerely desirous of taking every possible precaution, in order to prevent the grant of this license from being abused, and in order to insure the *bonâ fide* liberation of the negroes in question: but it appears to me, that Her Majesty's Government would not be borne out in undertaking to say that the vessels conveying these negroes from Benguella to Prince's Island will not be detained by British cruizers, because it is scarcely possible that their commanders should be enabled properly to execute the instructions with which they are provided, and at the same time be expected to distinguish the difference between such a conveyance of negroes by sea and an ordinary slave-trading operation.

I am, &c.

(Signed) CLARENDON.

No. 338.

The Earl of Clarendon to Sir R. Pakenham.

Sir, *Foreign Office, November* 21, 1853.

WITH reference to your despatch of the 10th instant, referring to the determination of the Portuguese Government to establish custom-houses at several places on the coast of the province of Mozambique, I have to acquaint you that Her Majesty's Government approve of your having pointed out to the Portuguese Government the expediency of immediately carrying into effect that determination with regard to Angoza.

I am, &c.

(Signed) CLARENDON

No. 339.

Sir R. Pakenham to the Earl of Clarendon.—(*Received November* 24.)

My Lord, *Lisbon, November* 18, 1853.

I HAVE had the honour to receive your Lordship's despatches of the 5th and 8th instant.

I beg leave herewith to submit a copy of a note which I have addressed to the Portuguese Minister for Foreign Affairs respecting the case of the brig "*Laura*," pointing out the imperfect nature of the survey which was made of that vessel previously to her departure from Terceira, and requesting, as desired by your Lordship's last despatch of the 5th instant, that instructions may be sent to all the Civil Governors of the Azores in future, to conduct such surveys in strict accordance with the provisions of the Royal Decree of 10th December, 1836, which require that they should be executed by the Civil Governor, and by one of the principal officers of the Customs.

I have communicated to the Portuguese Government, as directed by your Lordship's despatch of the 8th instant, the names and descriptions of Her Majesty's ships which have been furnished with instructions to act in the suppression of the Slave Trade, under the Treaty of 1842, a list of which accompanied your Lordship's despatch.

I have, &c.
(Signed) R. PAKENHAM.

Inclosure in No. 339.

Sir R. Pakenham to Viscount d'Athoguia.

Sir, *Lisbon, November* 15, 1853.

WITH reference to the note which I had the honour to address to your Excellency on 29th September last, relative to a vessel called the "*Laura*," which had sailed from the Island of Terceira, under circumstances justifying a suspicion that she was bound on a slaving voyage, and to the note which your Excellency was pleased to address to me on 7th October in reply, I have now the honour to lay before your Excellency an extract from a letter which I have received from Her Majesty's Consul at Madeira, stating that the "*Laura*" had touched at that island on the 25th of last month, and gone to sea again, after a delay of only a few hours, her captain having obtained from the competent authorities a certificate that the vessel had called at that island, such certificate being of course intended to release the "*Laura*" from further responsibility, by reason of the bond into which, as your Excellency is already aware, her captain was obliged to enter before he quitted the Island of Terceira.

All these circumstances having been duly reported to Her Majesty's Government, I have received instructions to represent to your Excellency the additional suspicions respecting the character of the "*Laura*," which arise from the hasty way in which she quitted the Island of Madeira, clearly denoting that she visited that island for no legitimate and *bonâ fide* purposes, but simply in order to get rid of the liability which hung over her in consequence of the security which she had been obliged to enter into at Terceira.

As to what took place in the case of this vessel at the Island of Terceira, I am directed to observe to your Excellency, that considering the highly suspicious circumstances respecting the "*Laura*," detailed in the paper which I had the honour to transmit with my note of 29th September, and which were duly brought to the notice of the Civil Governor by the British Vice-Consul, it appears to Her Majesty's Government that the survey which was held on the "*Laura*" was not conducted in a manner to lead to any practical or profitable result.

I beg leave to inclose a copy of a communication addressed by the Civil Governor to Her Majesty's Vice-Consul, informing him of the steps taken with regard to the "*Laura*," in which it is stated, that from the survey which had

been held on board of her, there did not appear sufficient reason to believe that she was intended for the African Slave Trade.

Her Majesty's Government have, however, to regret, that the survey thus spoken of was a very imperfect one, having been executed by the captain of the port alone, and without the presence of the public authorities, required by Article VII of Her Most Faithful Majesty's Decree of 10th December, 1836, to take part in such investigations.

I am accordingly directed to convey to your Excellency the request of Her Majesty's Government, that Her Most Faithful Majesty's Government will issue orders to all the Civil Governors of the Azores, directing them in future to make such surveys in conformity with the provisions of the Decree of 10th December, 1836, which require that such surveys should be conducted by the Civil Governor, and by one of the principal officers of the Customs.

I have, &c.

(Signed) R. PAKENHAM.

No. 340.

The Earl of Clarendon to Count Lavradio.

Foreign Office, November 26, 1853.

THE Undersigned, &c., has the honour to acknowledge the receipt of the official note which was addressed to him on the 17th of September, by Count Lavradio, &c., complaining that Commander Wilmot, of Her Majesty's ship "Harlequin," violated the sovereign rights of Portugal by concluding, in January last, a Treaty for the suppression of the Slave Trade with the King of Cabinda, on the west coast of Africa; and by attempting, in the month of March, to negotiate a similar Treaty with the King and Chiefs of Ambriz.

Count Lavradio's note also contains accusations affecting the honour and good faith of Captain Wilmot in his dealing with the Portuguese Commandant of Bengo, and with the King of Cabinda.

The Undersigned begs to inform Count Lavradio that Captain Wilmot has been required by the Lords of the Admiralty to explain his conduct in regard to the several matters of complaint thus alleged against him by the Portuguese Government; and the Undersigned has now the honour to reply to the above-mentioned charges.

The first charge is, that Captain Wilmot took into his service at Bengo, and conveyed from thence to Cabinda, a Portuguese interpreter named Vicente Antonio Cabo Verde, who had received from the Commandant of Bengo permission to that effect, on condition that it should be confirmed by the Governor of Angola; but it is alleged that Captain Wilmot prevented Vicente from applying to the Governor of Angola, and forcibly kept the interpreter in his service without leave.

It appears from Count Lavradio's note that Vicente has made a deposition before the competent authorities on this and other matters relative to the proceedings of Captain Wilmot; but Count Lavradio says that he is withheld by motives of delicacy from sending a copy of that deposition to the Undersigned.

Captain Wilmot states in reply to this charge that, on the occasion of his making a complimentary visit to the Captain of the Port at Bengo, Vicente was called in to act as interpreter, which led to a proposal being afterwards made by Captain Wilmot that Vicente should enter his service; and before this engagement was concluded, Vicente told Captain Wilmot that he was out of employment, that he was not a Portuguese subject, that he was at liberty to go where he liked, and that he was perfectly willing to go with him. Accordingly, Captain Wilmot engaged Vicente as his interpreter, and three days afterwards Vicente voluntarily went on board the "Harlequin;" and Captain Wilmot asserts positively that there is no truth in the statement about his having forced Vicente to join him.

Captain Wilmot further says, that Vicente told the Captain of the Port at Bengo that he intended to go with Captain Wilmot, and that the Captain of the Port did not state to Captain Wilmot that Vicente must first have leave from the Governor-General of Angola; and if that formality had been indispensably

requisite, there was ample time, during the above-mentioned interval of three days, for the authorities of Bengo to have warned both Vicente and Captain Wilmot accordingly.

It appears besides, that after the termination of Vicente's service, he was imprisoned by the Portuguese authorities for the alleged crime of having accompanied Captain Wilmot, but he was released on the Captain interfering in his behalf; and he afterwards frequently came on board the "Harlequin," and said that he had been most cruelly treated by the Portuguese.

The Undersigned concurs with Captain Wilmot in thinking that no great reliance can be placed upon any declaration which may have been extorted under these circumstances from an unfortunate man who was deprived of the power of helping or defending himself.

The second charge is, that Captain Wilmot, on the 1st of January, 1853, addressed a letter to the King and Chiefs of Cabinda, threatening to use force, and to blockade their coasts, if they should decline to sign an Anti-Slave-Trade Treaty; and that he pointed out to them that the Portuguese residing in their country were their worst enemies, and ought to be expelled from Africa.

The only part of this charge to which the Portuguese Government can ask for any answer from Her Majesty's Government is that which relates to the conduct of Captain Wilmot, in suggesting to the King and Chiefs of Cabinda that they should expel the Portuguese from their territory; and the Undersigned begs leave to observe, that the portions of that letter which have been underlined by Count Lavradio clearly show that the Portuguese to whom those passages relate are persons who are obstinately bent on continuing to carry on the Slave Trade in defiance of the Treaty of July 1842, between Great Britain and Portugal. And it is scarcely necessary that the Undersigned should add, that Captain Wilmot was fully justified in requiring that such persons should be banished from the Cabinda territory.

The third charge in Count Lavradio's note relates to the Anti-Slave-Trade Treaty concluded by Captain Wilmot with the King of Cabinda; and the substance of that charge is, that Captain Wilmot tried to induce the King and Chiefs of Cabinda to sign a Treaty, which he presented to them first on the 24th of January, and afterwards on the 10th of February, 1853; and that, having failed in that endeavour, because the King and Chiefs maintained that their allegiance to the Queen of Portugal did not allow of their concluding Treaties with foreign Powers, Captain Wilmot, accompanied by Captain Coote and the interpreter, went to the King's house, and persuaded him to take some brandy, of which he drank so copiously that he lost his senses, and put his mark to a paper which was presented to him for signature by Captain Wilmot, who told the King that it was a document signifying his consent to entrust his son to Captain Wilmot.

In answer to this imputation upon the honour and integrity of Captain Wilmot, the Undersigned transmits herewith that officer's narrative of what took place in his several interviews with the King and Chiefs of Cabinda, which will show that the Chiefs made no representation about their being under the authority of Portugal, and that there was no truth in the opprobrious statement that Captain Wilmot made the King drunk, and obtained his signature to the Treaty by a false representation.

The Undersigned has to add, that he has informed the Lords of the Admiralty that he is of opinion that Captain Wilmot has completely and satisfactorily exonerated himself from the charge in question; and the Undersigned has stated to their Lordships that the Treaty concluded by Captain Wilmot with the King of Cabinda must be held to be valid, and that its punctual fulfilment must be enforced.

The Undersigned begs leave to point out to Count Lavradio that the Portuguese Government must be well aware of the grounds upon which Her Majesty's Government maintain that they have a right to enter into Treaties with the Chiefs of Cabinda and of Ambriz; because Her Majesty's Government have formally refused to admit the claim of Portugal to a right of sovereignty over that portion of the west coast of Africa which lies between 5° 12′ of south latitude and 8° of south latitude. The reasons of that refusal were explained in a note which Mr. Southern, Her Majesty's Chargé d'Affaires at Lisbon, addressed, by order of Her Majesty's Government, to the Portuguese Minister for Foreign Affairs on the 24th of November, 1846, and they were in substance

as follows: Mr. Southern stated that, on referring to Article II of the Convention of the 28th of July, 1817, additional to the Treaty of the 22nd of January, 1815, between Great Britain and Portugal, for the prevention of the Slave Trade, it would be seen that, with respect to the west coast of Africa, the territories described as possessed by the Crown of Portugal extended from the 8th to the 18th degree of south latitude; but with respect to the part of the coast from the 5th degree 12 minutes south latitude down to the 8th degree south, namely, the territories of Molembo and Cabinda, His Most Faithful Majesty declared that he maintained his rights.

Mr. Southern, therefore, stated that it appeared, that while the right of Portugal to sovereignty and jurisdiction from the 8th to the 18th degree of south latitude was fully recognized by the British Government, her right from 5° 12′ down to 8° south was not recognized.

The Undersigned has to observe, that this declaration on the part of Her Majesty's Government was not answered by the Portuguese Government.

But it appears from Count Lavradio's note that the Portuguese Government consider that their right to the sovereignty in question is established not only by the IInd Article of the Convention of July 1817, but also by the Xth Article of the Treaty of Alliance between Great Britain and Portugal of the 19th of February, 1810, and by the IInd Article of the Treaty of the 22nd of January, 1815.

Although the above-mentioned Treaty of February 1810 is no longer in force, and although the question of right now under consideration must be decided according to the terms of the most recent Treaty in which it is mentioned, that is to say, by the IInd Article of the Additional Convention of the 28th of July, 1817, yet the Undersigned will nevertheless proceed to examine these three Articles of Treaties between Great Britain and Portugal, which are referred to by Count Lavradio, as proving that Great Britain has recognized the rights of sovereignty belonging to Portugal in the territories of Molembo, Cabinda, and Ambriz.

And first, with regard to the Xth Article of the Treaty of Alliance of February 1810, the Undersigned has to observe that the only fact which that Article proves is, that Great Britain accepted a declaration that the Prince Regent of Portugal claimed rights of some kind to the territories of Cabinda and Molembo, and that "His Royal Highness was resolved not to resign nor forego his just pretensions thereto, nor the rights of his subjects to trade with those places in the same manner as they had done up to that time." But it does not appear from this Article that Portugal did at that time hold *de facto* possession of the territories in question; it appears only that she claimed a right to do so.

The next Treaty engagement to which Count Lavradio refers is the IInd Article of the Treaty of the 22nd of January, 1815, by which, as Count Lavradio states, the British Government renewed the recognition contained in the Xth Article of the Treaty of February 19, 1810.

The IInd Article of the Treaty of January 1815, states that "Her Britannic Majesty engages, in concert with the Prince Regent of Portugal, to give such orders as may effectually prevent any interruption being given to Portuguese ships resorting *to the actual dominions of the Crown of Portugal*, or *to the territories which are claimed* in the Treaty of Alliance of the 19th of February, 1810, as belonging to the Crown of Portugal to the southward of the line."

In this Article a clear distinction is drawn between the territories actually held under the dominion of Portugal, and those which were claimed by her under the Treaty of 1810, and accordingly the said distinction is clearly laid down in the IInd Article of the Additional Convention of the 28th of July, 1817, which Count Lavradio quotes, and this is the distinction which is pointed out in the above-mentioned note from Mr. Southern to the Portuguese Minister for Foreign Affairs of the 24th of November, 1846.

Count Lavradio's explanation respecting these Treaty stipulations is followed by some remarks upon Captain Wilmot's proceedings at Ambriz, and the Undersigned observes that Count Lavradio, in defending the alleged rights of Portugal over that place, seems to consider that Her Majesty's Government is entirely precluded from questioning those rights, because it is stated in a letter which Viscount Palmerston addressed to Baron Moncorvo on the 30th of November, 1846, that Ambriz is the extreme northern point recognized by Great Britain as belonging to Portugal.

It is true that there is such a passage in Lord Palmerston's letter, but the paragraph in which it occurs concludes by stating that Her Majesty's Government maintain the right to unrestricted intercourse with that part of the west coast of Africa which lies between 5° 12′ of south latitude and 8° of south latitude.

The Undersigned begs to state that it is evident that Lord Palmerston was not then aware of the fact that Ambriz is situated eight miles to the north of the 8th parallel of south latitude. But that statement in Lord Palmerston's letter of November 1846, cannot invalidate the terms of the Treaty of July 1817; and, according to those terms, Her Majesty's Government still maintains that the Treaty of 1817 does not establish the claim of Portugal to the sovereignty of the coast lying between 5° 12′ of south latitude and 8° of south latitude, within which parallels Ambriz is situated.

This matter was distinctly explained to the Portuguese Government by an official note which Sir Hamilton Seymour addressed to Count Tojal on the 9th of November, 1850; and further, in January, 1851, by the communication from Sir Hamilton Seymour to Count Tojal of a despatch from Lord Palmerston to the British Commissioners at Loanda, dated the 2nd of December, 1847, stating the reason why Lord Palmerston had thought it unnecessary to correct the geographical error which was contained in his note to Baron Moncorvo of the 30th of November, 1846, namely, because it could not be construed into an admission by Her Majesty's Government of the right of Portugal to the sovereignty, either of Ambriz or of that part of the coast which lies between Ambriz and the 8th parallel of south latitude.

Captain Wilmot has, moreover, informed Her Majesty's Government that the King and Chiefs of Ambriz do not acknowledge the Queen of Portugal as their Sovereign, and that at the last interview he had with them they were very angry at being called the vassals of Portugal. They said: "We do not owe any allegiance to Portugal; we are our own masters; we are not their subjects."

This statement is confirmed by the information which Her Majesty's Government has received as to the actual condition of the coast between Loango and Ambriz, which is represented as never having had civilized laws, government, flag, or constituted authorities. Slave-dealers have resided there with impunity, and slavery, with all its horrors and in its worst forms, has been permitted to exist unnoticed.

Thus it is manifest and notorious that the African tribes inhabiting the line of coast claimed by Portugal between 5° 12′ and 8° south, are in reality independent, and that the rights which Portugal acquired by priority of discovery at the close of the fifteenth century, have been long since suffered to lapse in consequence of the Portuguese Government having neglected to occupy the countries so discovered.

Under these circumstances the Undersigned must repeat the declaration of Her Majesty's Government, that the interests of commerce render it imperative upon them to maintain the right to unrestricted intercourse with that part of the west coast of Africa which lies between 5° 12′ of south latitude and 8° of south latitude.

The Undersigned cannot conclude this note without expressing his satisfaction at learning from Count Lavradio that the Government of Portugal is not only determined to spare neither exertions nor expense in actively cooperating towards the extinction of the Slave Trade, but is also resolved to put an end to the state of Slavery in the Asiatic and African possessions of Portugal.

Her Majesty's Government hope that a decree to this effect may soon be issued and brought into operation by the Government of Her Most Faithful Majesty; and they trust that the future acts of the Governors of the Portuguese dominions in Africa will prove that they do not regard the suppression of the Slave Trade to be an undertaking adverse to the influence of Portugal in Africa.

The Undersigned, &c. (Signed) CLARENDON.

Inclosure in No. 340.

Commander A. E. Wilmot to the Secretary to the Admiralty.

(Extracts.) *Basing Park, Alton, October* 26, 1853.

BEFORE visiting the King of Cabinda in his own town, which is twenty-five miles inland, I sent a letter to His Majesty to request an interview, which after some delay was granted. Commander Coote and a few of the officers of the "Volcano" accompanied me.

We were received with great respect and courtesy, and at the palaver which followed I laid before them all the arguments in my power in favour of giving up the Slave Trade, as well as offered for their acceptance a Treaty with Great Britain for its abolition.

There was no indication of Portuguese authority amongst them of any kind, neither did they say that being under the sovereignty of Portugal, the permission of that country must first be asked for and given.

Many of the Chiefs were in favour of the Treaty, and the whole population turned out, and danced and sung with joy upon hearing that the white man was come to prevent their being sold as slaves.

We parted upon the best possible terms, and with the understanding that I was to come again after they had assembled all the great Mafucas or Chiefs of the country, to ask their opinion upon such a momentous question.

I can assure their Lordships that the real feeling of the great proportion of the people present upon the occasion was in favour of giving up the Slave Trade, but that they were afraid to express themselves openly.

Upon the second time of my visit I saw the King himself at one of the towns situated in the Bay of Cabinda.

I must here mention that the old King had lately died, and according to the custom of the country some time elapses before his successor is appointed, which was the reason why there was no King present at the first palaver.

On this second occasion nothing satisfactory was concluded, but the King told me this by my interpreter, that he was prepared to sign the Treaty. He said I must return in fourteen days, when he would assemble his Chiefs, and give his answer. There was no threat, no intimidation on my part used to induce him to make this declaration: the offer came from himself quite unexpected in every way.

The interval of fourteen days was passed by me in effecting the Treaty with the King of Zanga Tanga and Cape Lopez.

I again returned to Cabinda, and met the King and Chiefs. Commander Coote and several officers were with me, as well as four marines to carry the union jack and the customary presents. The same arguments and entreaties were made use of. I said that Great Britain was determined to stop the Slave Trade by every means in her power, and that it was far better to accept the hand of friendship held out to them now by accepting the Treaty, than on a future occasion when probably it would be too late. I explained the advantage of legitimate trade, and the great sin of selling their fellow-creatures. I placed before them the condition of the King of Lagos, who, refusing to listen to the voice of reason and humanity, was eventually turned off his throne.

I neither threatened to burn him, nor to blockade their country; but merely placing before them the condition of Cabinda as a blockaded port, showed them what miseries they would suffer, and what calamities they would be called upon to endure.

The Chiefs were much divided, but the King made frequent signs to me both with his eyes and his hands, that all was right; before the interview Francisco Franco, who calls himself Governor of Porto Rico, which is one of the many small villages in Cabinda Bay, told me he would sign the Treaty if the King did.

The palaver broke up without anything being done; but the King sent to say I was to pretend to look about the town until the Chiefs had departed, when I was to return to his house, where he would sign the Treaty. I accordingly did so, and in the presence of Commander Coote and myself, the interpreter (Vincent Antonio), and his own two sons, he made a cross opposite his name, and also

against the names of two of his Chiefs. He said he did not care for his Chiefs; that he was the King and would act as he thought proper. The Treaty was read and explained to him, and so far from being unacquainted with its contents, he asked in the most cunning way, whether, having now signed the Treaty, he might take all the vessels which came to Cabinda for slaves, as well as their cargoes! and said he should allow them to come in and make their bargains first before he seized them, to prevent suspicion. He also entered into most minute details with regard to the present he was to receive, bargaining for part to be in cloth, and part in guns and powder.

This conduct does not in the least appear like that of a "drunken man," which the Portuguese authorities have fabricated against him. If the King had been forced into signing the Treaty against his will, and had conceived himself under the power of Portugal, is it not natural to suppose that he would have alluded to this in his attempt to extricate himself from such a perilous proceeding? On the contrary, he voluntarily came forward and offered himself, making no difficulties and no stipulations. He even had refrained from drinking spirits, according to the custom of the country, and would hardly be persuaded to drink the Queen of England's health after the Treaty was signed.

It was not until his mark was attached to the Treaty that he mentioned his son, by asking me if I would take him and have him educated in England, which I most willingly acceded to, and turned him over on the spot to Commander Coote, who was most anxious for the charge. There was no document given to him about his son, nor any agreement made concerning him. The whole is a mere invention. It was an act of kindness on my part which I thought due to a friendly country.

No. 341.

The Earl of Clarendon to Sir R. Pakenham.

Sir, *Foreign Office, December* 5, 1853.

I HAVE to refer you to the Protocol which the Plenipotentiaries of Great Britain and of Portugal signed at this office on the 19th of November, 1850, whereby the Government of Her Most Faithful Majesty agreed to renew, for a period of three years from that date, the permission granted by the Protocol of the 12th of August, 1847, authorizing Her Majesty's ships employed in suppressing the Slave Trade to enter the bays, ports, creeks, rivers, and other places within the dominions of the Crown of Portugal on the east coast of Africa, where no Portuguese authorities are established, in order that those ships might prevent the Slave Trade from being carried on in such places.

As the period stipulated in that Protocol expired on the 19th ultimo, I have to instruct you to propose to the Portuguese Government a renewal of the above-mentioned arrangement for a further period of five years; and I inclose herewith a draft of a Protocol recording it, which you will request the Portuguese Minister for Foreign Affairs to sign with you in duplicate.

It is not improbable that when you make this proposal, the Portuguese Minister may refer to the complaint which Count Lavradio has recently addressed to me, under his orders, relative to the proceedings of Commander Bunce at Quissanga in August 1852; and if this affair should be mentioned by his Excellency, you will state to him that it appears to Her Majesty's Government that there can be no doubt that Commander Bunce acted with perfect good faith in drawing the conclusion, from all that he saw and heard at Quissanga, that there was no person at that place duly entitled to be considered as a Portuguese authority, and that the place was entirely under the control of Arab Chiefs, who, although subjects of the Crown of Portugal, have constantly shown a determination to set at nought the engagements under which the Government of Portugal is solemnly bound to put an end to the Slave Trade in all parts of the Portuguese dominions.

You will say that Her Majesty's Government regret to learn, by the reports which they have received from the British naval commanders on the east coast of Africa, that the unfortunate natives of the interior are still collected in large numbers at many places in the Portuguese possessions on that coast, in order to

supply the vessels which come there to bring slaves for the Cuba market, and that the Portuguese Governors of the neighbouring chief towns are still without the means effectually to suppress that infamous Traffic; and you will add, that under such circumstances Her Majesty's Government cannot doubt that the Portuguese Government will readily renew the permission by which British cruizers are enabled to assist that Government in obliging the refractory natives to respect the laws of Portugal.

I am, &c.
(Signed) CLARENDON.

Inclosure in No. 341.

Draft of Protocol of a Conference held at Lisbon, December , 1853, between the Plenipotentiaries of Great Britain and Portugal.

WHEREAS by the Protocol of a conference between the Plenipotentiaries of Great Britain and of Portugal, held at London on the 12th of August, 1847, the Government of Her Most Faithful Majesty consented to grant, for the period of three years from that date, permission for Her Britannic Majesty's ships employed in suppressing the Slave Trade to enter the bays, ports, creeks, rivers, and other places within the dominions of the Crown of Portugal on the east coast of Africa, where no Portuguese authorities are established, and to prevent the Slave Trade from being carried on in such places:

And whereas, on the expiration of the above-mentioned period of three years, the permission granted as aforesaid was, by a Protocol signed at London on the 19th of November, 1850, by the Plenipotentiaries of Great Britain and Portugal, renewed for a further period of three years:

And whereas that further period has expired:

The Undersigned, Envoy Extraordinary and Minister Plenipotentiary of Her Britannic Majesty at the Court of Portugal, requested that such permission might be renewed; and the Undersigned, Minister for Foreign Affairs, &c., declared that the Government of His Most Faithful Majesty, with the desire to fulfil and carry out, to the utmost of its power, the obligations contracted by the Treaty signed at Lisbon on the 3rd of July, 1842, between Great Britain and Portugal, for the suppression of the Slave Trade, consents to grant the permission requested on the part of the British Government for a fresh period of five years commencing from the 19th of November, 1853, under the conditions laid down in the Protocols of the 12th of August, 1847, and of the 19th of November, 1850, above referred to.

Done at Lisbon, this day of December, 1853.

No. 342.

The Earl of Clarendon to Sir R. Pakenham.

Sir, *Foreign Office, December* 6, 1853.

I TRANSMIT herewith, copies of four notes* which I have received from Count Lavradio, and of the answers which I have returned to the representations which they contain, complaining of the conduct of Commander Bunce, of Her Majesty's ship "Castor," in destroying a slave-vessel and a barracoon at Quissanga, on the east coast of Africa, in August, 1852; and of the proceedings of Commander Wilmot, of Her Majesty's ship "Harlequin," in negotiating Treaties with the King and Chiefs of Cabinda and of Ambriz, in February last.

You will explain to the Portuguese Government the entirely unfounded nature of the charges against these British officers, who have performed their arduous duties with untiring zeal as well as with prudence and moderation. And you will observe, that their success in breaking up the haunts of slave-

* Nos. 311, 316, 322, 332; and 313 and 340.

dealers, and in checking the infamous Traffic which existed to such a disgraceful extent both on the east and west coasts of Africa, should have entitled those officers to the approbation of the Portuguese Government, which, however, by entertaining and bringing forward such complaints has given direct encouragement to the slave-trading party, which Her Majesty's Government is determined to put down.

I am, &c.
(Signed) CLARENDON.

No. 343.

The Earl of Clarendon to Sir R. Pakenham.

Sir, *Foreign Office, December* 12, 1853.

WITH reference to my despatches to you of the 18th August, 7th October, and 5th November, urging the expulsion from Loanda of the Brazilian slave-dealer Franciso Antonio Flores, I have to acquaint you that Commander Wilmot having stated in an official letter to the Lords of the Admiralty, that he was able to prove that the American brig "*Silenus,*" which carried away 600 slaves from Ambriz on the 4th of January last, was consigned to a person residing at Loanda, who was protected by the Governor-General of Angola, he has been required to state the name of that person, and to furnish Her Majesty's Government with the proof mentioned in his letter.

I now inclose a copy of a letter from Commander Wilmot to the Secretary of the Admiralty, stating that Francisco Antonio Flores was the person to whom he referred, and that this information was obtained from the captain and mate of the "*Silenus,*" and from a Mr. Walker, the agent of a Liverpool house at Ambriz.

I have to instruct you to communicate a copy of Commander Wilmot's letter officially to the Viscount d'Athoguia, and to state to his Excellency that Her Majesty's Government cannot believe that the Portuguese Government will continue to permit the residence of this notorious man at Loanda.

I am, &c.
(Signed) CLARENDON.

Inclosure in No. 343.

Commander A. E. Wilmot to the Secretary to the Admiralty.

Sir, *Basing Park, Alton, Hants, November* 29, 1853.

I HAVE the honour to reply to their Lordships' letter of 25th instant, calling upon me to state the name of the man to whom the brig "*Silenus,*" that carried away 600 slaves from Ambriz in January last, was consigned; and also to furnish the proof referred to in my letter of the 26th ultimo.

The name of the individual referred to, is Francisco Antonio Flores, and he resides at St. Paul de Loanda, under the protection of the Governor-General of Angola.

In a correspondence that passed between the Governor-General and myself upon this subject, his Excellency states, that this person is a Brazilian, and is employed in the legitimate trade of the country; that he denies being engaged in the Slave Trade; and that he has become naturalized in that country.

I beg to refer their Lordships to my correspondence with the Governor-General upon this particular question, which has doubtless been forwarded to the Admiralty by the Commander-in-chief in Africa.

This person incurred, some two years ago, the suspicion of the British Commander-in-chief, for an offence of a similar nature, which led to a communication between that functionary and the Governor-General upon the subject.

The latter was called upon to carry out the principle of the Treaty between the two countries relative to slave-dealers being permitted to reside in the Portuguese possessions.

Our Commissioners at Loanda are quite aware of the real character of

Senhor Flores; and Mr. Brand our Vice-Consul, who has lately returned from Africa in the "Spy," will be able to verify my statement.

Senhor Flores was not in Africa, I believe, during the period that an Anti-Slave Trade Governor was ruling the destinies of Angola, but returned again when he found that the old game might be carried on with impunity.

The Slave Trade party is now dominant at Loanda; not that the present Governor-General, who is a most honourable man, is favourable to its continuance, but because he has not the power to prevent it.

I come now to the proof of this man's connection with the Slave Trade:

1. When the "*Silenus*" was boarded off the Congo river, by Commander Coote, accompanied by the paymaster and purser of the "Volcano," previous to shipping the cargo of slaves from Ambriz, the captain and mate told Commander Coote that "he was consigned to Senhor Flores at Loanda." They repeated this when questioned by Commander Coote, who was of course much struck by the name and circumstances.

There was no attempt at concealment, but it came spontaneously from the officers of the "*Silenus*." There is only one Senhor Flores at Loanda.

2. When I told Mr. Walker, agent to a Liverpool house at Ambriz, that I knew who was the consignee of the "*Silenus*," he said, "Since you know all about it, I will tell you that she was consigned to Senhor Flores."

Mr. Walker has been long resident at Ambriz, and is a very intelligent person; he was there when the slaves were sent to the "*Silenus*," and doubtless could give most important information upon any subject connected with the "past and present of the Slave Trade."

Senhor Flores has agents at Ambriz, and nothing is easier than to carry on the abominable Traffic under the cloak of legitimate trade, and apparently without the knowledge of the Government.

This person could not live in the style he does by being alone concerned in the small trade that is carried on under his name at Loanda.

I will not trouble their Lordships further.

(Signed) ARTHUR EARDLEY WILMOT

No. 344.

Sir R. Pakenham to the Earl of Clarendon.—(*Received December* 17.

My Lord, *Lisbon, December* 7, 1853.

I HAVE had the honour to receive your Lordship's despatches of 21st and 22nd November.

The gentleman lately appointed to succeed the Chevalier Drummond as Brazilian Minister at this Court, is expected to arrive by the homeward-bound packet from Rio, now nearly due.

I hope that he will be furnished with instructions, or at least be prepared to act upon the instructions which were given to his predecessor, to cooperate with this Mission in everything relating to the prevention of the Slave Trade, when I shall perhaps be able to turn to good account the list which accompanies your Lordship's despatch of the 22nd November, of the persons said to be members or agents of the Brazilian Portuguese Slave Trade company.

I have, &c.

(Signed) R. PAKENHAM.

No. 345.

The Earl of Clarendon to Sir R. Pakenham.

Sir, *Foreign Office, December* 21, 1853.

WITH reference to your despatch of the 7th instant, stating that you hope that the new Brazilian Minister who is expected shortly to arrive at Lisbon may be provided with instructions to cooperate with you in matters relating to the

prevention of the Slave Trade, I have to instruct you to ascertain and report to Her Majesty's Government whether or not the Brazilian Minister has received such instructions.

I am, &c.
(Signed) CLARENDON.

No. 346.

Sir R. Pakenham to the Earl of Clarendon.—(*Received December* 25.)

My Lord, *Lisbon, December* 18, 1853.

I HAVE had the honour to receive your Lordship's despatches of the 5th and 6th instant.

I will proceed without delay to the fulfilment of the instructions contained in these despatches.

I now beg leave to lay before your Lordship a copy of a letter which I received a few days ago from Her Majesty's Consul for the Western Islands, representing the circumstances under which a vessel called the "*Nova Tentativa*" had sailed from the Island of Terceira, which seem to afford strong grounds for suspecting that she was bound on a slaving voyage.

In my despatch of 8th October I had the honour to report to your Lordship the information which I had received from Her Majesty's Vice-Consul at Terceira relative to a vessel called the "*Laura*"—a case presenting strong indications of an intended slaving voyage, and which I had accordingly lost no time in bringing to the notice of the Portuguese Government. This case being so soon followed by another involving circumstances of equally strong suspicion, I have thought it right, in pointing it out to the attention of the Viscount d'Athoguia, to allude to the serious responsibility which would arise if, after the notice which had been taken of the case of the "*Laura*," it should turn out that a second vessel, belonging to the same owners, the "*Nova Tentativa*," had also been suffered to depart from that island with full cognizance on the part of the local authorities of the suspicious circumstances attending her.

Your Lordship will not fail to remark that in Mr. Vice-Consul Read's statements respecting the "*Laura*" and the "*Nova Tentativa*," these vessels are described as being owned by Antonio Severino Avellar, whose name appears in the list lately furnished to your Lordship by Her Majesty's Chargé d'Affaires at Rio de Janeiro, as the resident member and agent in the Azores of the Brazilian Portuguese Slave-Trading Company.

I have the honour to submit a copy of the note which I address to the Viscount d'Athoguia relative to the case of the "*Nova Tentativa*," which I hope will meet your Lordship's approval.

I have, &c.
(Signed) R. PAKENHAM.

Inclosure 1 in No. 346.

Consul Hunt to Sir R. Pakenham.

Sir, *St. Michael's, November* 19, 1853.

AS a vessel is about to sail for Lisbon, and it is unlikely that there will be any other early opportunity, I think it my duty to communicate to you the following private information received from Mr. Vice-Consul Read, in anticipation of his official report.

The "*Nova Tentativa*," a fine clipper brig, of larger size and greater speed than the "*Laura*," belonging to the latter vessel's owners, arrived at Terceira on the 12th instant from Plymouth, and proceeded the next day to Fayal. Mr. Read states that her master is a Portuguese, "twenty-seven years of age, good looking and accomplished, speaking English, French, Spanish, and Italian, and that he has been taken three times."

When the "*Laura*" sailed from Terceira thirty casks of manioc were left in

the Custom-house for supplying another vessel. These were afterwards sent to Fayal with "a large boat-load of water-casks," and one of the Avellars went there to meet a vessel said to be expected from Brazil.

If the "*Nova Tentativa*" has any slave-deck, gratings, or other fittings on board, it is probable that they were in her when she discharged her Brazilian cargo in England, if they were not purchased by her there.

It is to be feared that no proceedings will be taken at Fayal to ascertain if she deserves the suspicions Mr. Read entertains of her.

I have, &c.
(Signed) THOMAS CAREW HUNT.

Inclosure 2 in No. 346.

Sir R. Pakenham to Viscount d'Athoguia.

Sir, *Lisbon, December* 15, 1853.

WITH reference to the notes which I had the honour to address to your Excellency on 20th September and 15th November last, communicating the information which had reached me respecting a vessel called the "*Laura*," supposed to have sailed on a slaving voyage under circumstances not very creditable to the zeal and efficiency of the public authorities of the Island of Terceira, where she was fitted out, I have now the honour to lay before your Excellency a copy of a letter which I have received from Her Majesty's Consul for the Western Islands, stating certain things with respect to another vessel called the "*Nova Tentativa*," belonging to the same owners as the "*Laura*," which induce the belief that she also has been dispatched on a slaving voyage. I beg leave to direct your Excellency's attention more particularly to the following paragraph in Mr. Hunt's letter: "When the '*Laura*' sailed from Terceira, thirty casks of manioc were left in the Custom-house for supplying another vessel." These were afterwards sent to Fayal with "a large boat-load of water-casks, and one of the Avellars went there to meet a vessel said to be expected from Brazil."

Thus it will be seen that operations having all the appearance of connection with the Slave Trade were carried on with the complete cognizance of the local authorities of Terceira, and this too after the attention of those authorities had been especially directed to such proceedings by the British Vice-Consul at that island.

I must also mention a circumstance of great importance in this case, which is, that the reputed owner of the "*Laura*" and "*Nova Tentativa*," Antonio Severino d'Avellar, is borne on a list in possession of Her Majesty's Government of the individuals composing the Brazilian-Portuguese Slave-Trading Association, as the resident member and agent of that association in the Azores, the consignee of the "*Laura*" being João Severino d'Avellar, a relation of the owner.

I cannot doubt that the information which I have thus the honour to convey to your Excellency respecting what is passing at Terceira, and which is of a nature to cause grave suspicions as to the criminal character of such proceedings, will induce Her Most Faithful Majesty's Government to take proper measures to arrest the progress of so crying an evil.

Her Majesty's Government will sincerely rejoice if the suspicions now entertained with regard to the "*Laura*" and the "*Nova Tentativa*" should prove unfounded, and it should turn out that those vessels have after all been employed in some legal traffic.

On the other hand I need scarcely remark that, if after the notice which was taken of the case of the first of these vessels, with a view to induce more zeal and circumspection on the part of the authorities at Terceira in the fulfilment of their duty, it should turn out that the second vessel, the "*Nova Tentativa*," has been suffered to depart on a slaving voyage, a very serious responsibility will have been incurred by such an infraction of the laws and obligations of this country.

I have, &c.
(Signed) R. PAKENHAM.

No 347.

The Earl of Clarendon to Sir R. Pakenham.

Sir, *Foreign Office, December* 30, 1853.

I HAVE received your despatch of the 18th instant, reporting the suspicious circumstances attending the arrival at and departure from Terceira of the Portuguese vessel "*Nova Tentativa*," and inclosing a copy of a note which you had thought it right to address to the Portuguese Minister for Foreign Affairs respecting this vessel. And I have to acquaint you in reply that I approve of this note, and that I hope the Portuguese Government will feel that their honour and integrity are concerned in the complete investigation of this very suspicious case.

I am, &c.
(Signed) CLARENDON.

No. 348.

Sir R. Pakenham to the Earl of Clarendon.—(Received January 3, 1854.)

My Lord, *Lisbon, December* 28, 1853.

IN the Portuguese "Official Gazette" of the 14th of last month, there appeared a Decree by which a grant of four miles square of land, in the island called Princes Island (Ilha do Principe), on the west coast of Africa, is conferred on a certain Senhor José Maria de Souza e Almeida, holding the rank of Councillor, for the purpose, as stated in the preamble to the Decree, of encouraging the improvement of the island, and subject to certain conditions therein set forth.

By Article VIII of this Decree, permission is given to transport to Princes Island, 100 slaves of those already possessed by Senhor Souza e Almeida in the province of Angola, "after that he shall have made them free in conformity with the regulations annexed to the Decree;" a translation of which regulations I have the honour to inclose.

"The negroes thus liberated may be transported in vessels of the State when this can be effected without injury to the public service."

On looking over the regulations thus spoken of, I find that they are taken in a great measure from the Annex C to the Treaty of the 3rd of July, 1842, between Great Britain and Portugal for the suppression of the Slave Trade, entitled "Regulations in respect to the treatment of liberated negroes," and they may therefore be supposed to present sufficient security against abuses and irregularities in the treatment of the persons for whose protection they are framed, provided they are honestly administered. Upon this point of course everything will depend.

Her Majesty's Government may perhaps be of opinion that the whole arrangement, if it does not amount to a violation of the letter of the Treaty of July, 1842, is at variance with the spirit and intention of that agreement. But if it should be found that the right of the Portuguese Government to carry out the measure cannot be disputed, from anything contained in the Treaty of 1842, your Lordship will probably think it advisable to cause information to be obtained through the Agents of Her Majesty's Government at Loanda, and through the officers of Her Majesty's cruizers visiting Princes Island, as to the manner in which the provisions of the Decree may have been carried out. With this view I purpose forwarding copies of the Decree and annexed regulations to Her Majesty's Commissioners at Loanda by the first opportunity.

I have, &c.
(Signed) R. PAKENHAM.

Inclosure in No. 348.

Regulations referred to in Article VIII of the Decree of October 25, 1853, in respect to the Treatment of Liberated Negroes.

(Translation.)

ART. I. The slaves selected for removal to the Island do Principe must previously be baptized, if they are not so already, and receive their letters of emancipation, drawn up with all the legal formalities.

II. At the same time that their letters of emancipation are delivered to them, a contract or indenture shall be drawn up, in the presence of the Crown lawyer, and with all legal formalities, the parties to which shall be, on the one hand, the hirer or his solicitor, and, on the other hand, the Curator of Liberated Negroes of Benguella appointed by Decree of 30th December last, or whosoever may be acting for him. In this contract or indenture shall be embodied the conditions or stipulations hereinafter mentioned; and the liberated negroes and the hirer being thus mutually bound, the former shall forthwith be delivered up to the latter, or to his solicitor.

III. The liberated negroes, after being removed to the Island do Principe, will be placed under the superior superintendence of a Board which *ad instar* of that established by Article III of the Annex marked C to the Treaty of 3rd July, 1842, shall be constituted at the Island of St. Thomas, under the denomination of "Board of Superintendence of Liberated Negroes," having for President the Governor of the province, and for members, the chief of the Crown lawyer's office, and the Secretary to the Government.

§ 1. The Curator of the Liberated Negroes of the district of St. Thomas, also appointed by the said Decree of 30th December last, or whosoever may be acting for him, shall in every way promote the interest of the liberated negroes in question before this Board, and shall lend himself for any service which the said Board may demand of him in this sense.

§ 2. If at the time of carrying into effect the agreement above mentioned, the duties of the Curator of Liberated Negroes at Benguella should have devolved upon the Crown officer, the Governor of the district shall, in accordance with what is enacted in the clause of the ensuing Article, appoint a person of known probity and humanity, being also a lawyer, if possible, to act as Curator of the Liberated Negroes in this and in other cases of legal impediment, and who must in the same manner take the oath to discharge conscientiously the duties entrusted to him.

IV. A subordinate deputation of the Board of Superintendence of Liberated Negroes shall also be constituted at the Island do Principe, composed of the Governor of the island as President, and of two persons selected by the Board.

§. At the Island do Principe the sub-delegate of the Attorney-General, or whosoever shall be acting for him, shall act as Curator of Liberated Negroes, and the Board of Superintendence, or its constituted delegates, shall appoint, to take his place in cases of incompatibility between the duties which he will have to perform as such, and the duties of his office as Counsel for the Crown, a person of known probity and humanity, if possible, a lawyer, who must take oath to discharge conscientiously the duties entrusted to him.

V. An authentic copy of the contract mentioned in Article II shall be sent to the Board of Superintendence of Liberated Negroes at St. Thomas's, from which copy the Board shall cause another to be taken and sent to its delegates at the Island do Principe.

§. The respective curators shall explain, by means of an interpreter if necessary, to each negro, the nature of this or of any other contract to which he may become a party, and shall inform him that, if he should at any time be ill-treated by his master, he must make his complaint to the proper curator, to the delegates of the Board of Superintendence of Liberated Negroes, or to the Board itself.

VI. The person to whom the liberated negroes are delivered, shall make out and sign duplicate receipts for them, specifying the number of each sex.

§. One of these original receipts, after being registered in the books of the Municipal Chamber, shall remain in the hands of the Crown officer, and the other shall be delivered to the curator.

VII. In the act of delivering up the liberated negroes, they shall be inspected by the curator, who shall enter the name of each one in a book, to be called "Register of Emancipated Negroes." Opposite to the name shall be entered a description of the person, with the probable age and bodily marks, and with any particulars which can be ascertained regarding the family and nation of such negro.

§. The curator, after having extracted an authentic certificate from this register, which he shall send to the delegates of the Board of Superintendence at the Island do Principe, shall send the book itself to the Board, in the archives of which it shall be kept.

VIII. Each negro, after being inscribed on the register mentioned in the preceding Article, shall be marked on the upper part of the right arm with a small silver instrument, bearing for its device a symbol of freedom.

IX. The liberated negroes removed to the Island do Principe by virtue of the contract under consideration, should be, if possible, an equal number of each sex.

§. In every case one-third at least must be of the female sex, and in no case shall a child under fourteen years of age be separated from its mother, nor a husband from his wife.

X. The period of service for which such negro shall be bound shall be seven years. Those under thirteen years shall be bound to serve till the age of twenty.

§. The period during which such negroes may be absent through desertion, or imprisonment for offences, shall not be counted in their time of service.

XI. Liberated negroes who, for a period of six years have invariably behaved well, so that their conduct in all respects may be considered exemplary and of the greatest advantage to their liberator, shall be, in consequence thereof, exempted from serving him any longer.

§. It will be the duty of the Board of Superintendence of Liberated Negroes to decide, upon the report of its delegates, whether such negroes are worthy of this indulgence.

XII. The name and address of the master, together with the name and position of the estate or house where the liberated negroes are to reside, shall be inserted opposite to the names of said negroes in the contract or indenture mentioned in Article II of these Conditions; and in the event of a change of residence, immediate notice must be given to the curator of their new place of abode.

§. The place of residence of liberated negroes may not be changed to any place out of the Island do Principe till such time as their period of service be completed.

XIII. If the master of any liberated negro shall commit any breach of the conditions of the contract, failing to provide him with the necessary food and clothing, or otherwise ill-treating him, such negro will be exempted from serving him any longer, and will recover his full freedom.

§. Such cases, however, must be tried by the Judge (Juiz de Direito) of the First Instance, at the appeal of the proper curator.

XIV. The master shall bind himself to allow to each negro one day in each week, besides Sundays and holidays, and when no holiday occurs during the week, that he may employ it to his own benefit, or to pay to him a certain sum equivalent to such day's work.

§. This sum must be stipulated by agreement with the Board of Superin-

tendence of Liberated Negroes, and be delivered, one-half to the negro and the other to the coffers of said Board, or of its delegates.

XV. The master shall undertake also:

1. That the liberated negroes shall be maintained with wholesome and abundant food, and to provide them with such clothes as are usual, according to the custom of the country.

2. That they shall be instructed in the principles of the Catholic religion.

3. That they shall be vaccinated as soon as possible, and receive in sickness proper medical advice, according to the means available in the country, and be treated with due care and attention, and that in case of death they shall be decently buried.

4. That whenever an infant is born of any female liberated negro, immediate information thereof shall be given to the delegates of the Board of Superintendence of Liberated Negroes, in order that the fact may be duly registered.

5. That baptism of an infant so born shall take place within three months after its birth, and that the freedom of the child shall be recorded in the register of baptism; but that such child shall remain with its mother, and shall be maintained and treated by the master of the mother in the same manner as a liberated negro, until the term of service of the mother ceases.

XVI. No master shall, in any case, be authorized to transfer to another person any of the liberated negroes without the special and written sanction of the Board of Superintendence; and if the master shall leave the province, or if he shall become so reduced in his circumstances as to be obliged to give up his establishment, then, and in any of these cases, he shall report the same to the delegates of the Board, and shall bring his negroes and deliver them up to said Board, who shall receive them, and afterwards deliver them to another master for the remainder of the period which they may have to serve, and under the same conditions as those imposed upon the first master.

§. In no case may the master, or any other person to whom the negroes may be confided according to this Article, be allowed to deliver them up to any other authority than the said delegates, or to the proper curator.

XVII. If any of the negroes shall be guilty of crimes which render them amenable to the laws of the country, or shall be guilty of habitual drunkenness, insubordination, wilful carelessness, or destruction of his master's property, the master shall, in such case, inform the Board thereof, which will provide due punishment in accordance with the laws; and upon the demand of the master, shall cancel their indentures.

XVIII. If a negro should run away, his master shall give immediate information thereof to the curator, who shall instantly proceed to a summary investigation of the fact, for the information of the delegates of the Board of Superintendence, and of the Board itself.

XIX. Any master who shall be proved to have improperly disposed of a negro, whom he has reported as dead or absconded, shall pay as a fine the sum of 30$000 reis, one-half of which will be for the informer, and the other half shall be delivered to the curator, to be placed at the disposal of the Board for the purposes hereinafter mentioned.

§ 1. In case of a repetition of the offence, if it be proved before the proper magistrate, the indentures shall be cancelled, and the Board shall give to each negro a certificate showing that he is in the full enjoyment of his freedom.

§ 2. The stipulations of this Article do not interfere with any legal proceedings which may be instituted against the master, if any violation of the laws which prohibit the Traffic of Slaves has been committed.

XX. If a negro should die, notice thereof shall immediately be given to the curator, in order that he may ascertain or cause to be ascertained that the deceased negro was really and truly the one described in the register; employing for this end the means authorized by the laws. The curator shall acknowledge the receipt of the notice of such death, but if he fail to do so, the master or his representative may send the notice to two members of the Board; or in their absence, to two other authorities.

§. A summary report of the result of this inquiry shall then be drawn up officially by the curator, and shall be delivered without delay to the Board.

XXI. The curator, after having identified the body of the deceased negro, shall investigate the cause of the death; and if the death shall appear to have been natural, he shall note that fact in the register.

§. If the cause of the death be doubtful, or shall appear to be otherwise than natural, the curator shall give proper notice to the Crown officer, and furnish such information and documents as he may have obtained, and which may conduce to bring the offender to trial before the proper Courts.

XXII. In the case of the death of the master, his heir, or the person to whom the charge of the negroes shall devolve, shall within eight days after the death of such master, report the same to the delegates of the Board, in order that it may be known who in such case will be answerable for the negroes.

§. If the heir or person in possession of such negroes, shall neglect to report the death of the master within eight days, he shall pay 1000 reis a-day for each negro, until he shall have given proper notice; and he shall, moreover, be subject to the other penalties which attach to the non-performance of the stipulated conditions.

XXIII. When a negro shall for any cause leave the service of his master or his heirs, or of any other person to whom he may be bound, he shall remain under the care of the delegates of the Board, and of the curator, who shall take care that he be provided with employment, so as to be useful to himself and to the State.

XXIV. It shall be the duty of the curator to inspect the liberated negroes once in every six months, at a convenient place, for which end he will give notice in writing to the master or his representative twenty-four hours previously. On these occasions he shall examine and inspect all such negroes, receive their complaints, inquire into those complaints, and search out the truth, and investigate any abuses that may affect the said negroes; and he shall also inquire into the general conduct of the negroes themselves.

§. The inspections above prescribed shall be made at such times as the curator shall judge most convenient.

XXV. The curator shall then bring to the notice of the delegates of the Board every complaint on the part of the said negroes, and every breach of the conditions and stipulations of the contract on the part of the master; and in all cases of well-founded complaint the delegates shall take proper means for affording redress.

XXVI. The curator shall also report to the delegates of the Board every six months the state in which he finds the liberated negroes; and his report shall be entered in a book to be kept for that purpose, to be called "Curator's reports," and to be deposited in the office of the Board, so that on reference thereto the condition and behaviour of every liberated negro may be easily known.

XXVII. All proceedings of the curator, together with a statement of all facts which may from time to time come to his knowledge respecting the liberated negroes, shall be immediately communicated by him to the delegates of the Board, and he is not to institute any proceedings, nor to take any steps in respect to such negroes, without the knowledge and sanction of the said delegates.

XXVIII. When the prescribed term of the liberated negroes shall have expired, the curator shall, under the direction of the delegates of the Board, summon such negroes, together with their master, to appear before said delegates, in order that the contract drawn up between the master and the negroes by their curator at Benguella may be cancelled, such negroes receiving from the delegates a certificate specifying that they have completed their term of service, and are entitled to all the rights and privileges of free persons.

§. The curator shall see that this certificate be authenticated and registered according to the custom of the country.

XXIX. The Board of Superintendence of Liberated Negroes, as also its delegates, shall have the power to admonish the curator and any other officer serving under them, if such curator or other officer should fail to execute his duty faithfully.

XXX. The necessary proceedings for recovering such sums as may be due to the liberated negroes by their masters, and for enforcing the payment of the several fines and penalties hereinbefore imposed upon neglect of compliance with these conditions, shall be instituted in the Courts of Correctional Police, and shall be carried on at the instance of the delegates of the Board of Superintendence of Liberated Negroes.

XXXI. The money arising from the hire of liberated negroes, and also from the penalties incurred by the masters, or other persons who by these conditions are amenable thereto, shall be received by the curator, who shall at once deliver to the delegates of the Board of Superintendence the several sums as he receives them, making previously an entry of the receipt in a book to be kept for that purpose.

XXXII. The delegates shall transmit to the Board all the money delivered to them by the curator, as stipulated in preceding Article, that it may be deposited in the coffers of the Board of Finance, where it shall be kept on separate account, to be applied in the following manner; that is to say: a a portion thereof, at the discretion of the Board of Superintendence of Liberated Negroes, shall be applied towards defraying the expenses of said Board, and the remainder to be applied to the promotion of the comfort and welfare of the liberated negroes, either during their terms of service, or at its expiration, and especially in rewards to liberated negroes for good conduct.

§ 1. The accounts of these moneys, and of the manner in which they have been applied, shall, at the expiration of every year, be made up in duplicate by the curator, whose duty it will be to see that the provisions of this Article are duly observed, and after these accounts have been examined and approved by the Board of Superintendence of Liberated Negroes, one of such duplicates shall be transmitted to the Government by said Board.

§ 2. If the fund should not prove sufficient to liquidate the just and necessary demands made for the purposes required, the deficiency shall be made good by the coffers of the province, with the sanction of the Governor of said province in council.

XXXIII. The business of the Board of Superintendence of Liberated Negroes, as well as that of its delegates, may be carried on by only two members, but in the event of a difference arising the third must necessarily interfere, in order that the matter in dispute may be decided by plurality of votes.

XXXIV. It shall not be permitted to the members of the Board or to its delegates, nor to any officer acting under them, to demand or receive from any one, excepting as herein specified, any emolument, under any pretext whatsoever, for the performance of their duties.

XXXV. The delegates of the Board of Superintendence of Liberated Negroes shall furnish the Board every three months with a detailed report of all that occurs, or that may have occurred, relating to the liberated negroes who form the subject of these conditions, and to the execution of them; and this report, accompanied by the remarks of the Board, shall be by it sent in original every six months to the Ultramarine Council, an authentic copy thereof to be kept in the office of the Board, in order that the Council may be enabled to recommend to the Government what is most convenient, in accordance with No. 2 of Article XIV of the Decree of the institution of said Council.

XXXVI. Nothing that is contained in these Regulations shall be construed to exempt any liberated negro, to which they refer, from his liability as a free

man to be proceeded against for any offence committed by him against the laws of the country. But in all cases where any offence against such laws is imputed to any such negro, the laws shall be administered to him as to a free man; and the curator shall, either personally or by a responsible person deputed by him for the purpose, attend the Courts of Justice to see that justice is done to the negro.

XXXVII. The conditions of the concession to be made to the petitioner shall be published in the official "Gazette" of the Government of Angola, and Her Majesty's Government shall convey to the Board of Superintendence of Liberated Negroes and its delegates, and to the respective curators, such authority as may be necessary to enable the said Board, its delegates, curators, and officers acting under them respectively, to perform the duties entrusted to them.

Marine and Colonial Department, October 25, 1853.

(Signed) VISCOUNT D'ATHOGUIA.

No. 349.

The Earl of Clarendon to Sir R. Pakenham.

Sir, *Foreign Office, January* 7, 1854.

I HAVE received your despatch of the 20th ultimo, inclosing copies of a Decree and of the Regulations thereto annexed, by which Senhor José Maria de Souza e Almeida has been authorised, under certain conditions, to transport from Benguella to Prince's Island 100 slaves; and I have to acquaint you that I approve of your intention to send copies of those documents to Her Majesty's Commissioners at Loanda.

I transmit herewith, for your information, copies of a correspondence* which has passed between Count Lavradio and myself upon this matter; and also copies of an instruction† which I have addressed to the British Commissioners at Loanda thereupon.

I am, &c.

(Signed) CLARENDON.

No. 350.

The Earl of Clarendon to Sir R. Pakenham.

Sir, *Foreign Office, January* 14, 1854.

I TRANSMIT herewith a copy of a despatch‡ from the British Commissioners at Loanda, stating what passed between Sir George Jackson and the Acting-Governor of Angola respecting an American barque called the "*Republic*," suspected of being destined for the Slave Trade, and of being consigned to Francisco Antonio Flores, which arrived at Loanda in August last, and was allowed to clear out from thence for the coast to the northward without proper investigation or vigilance on the part of the authorities.

I have to instruct you to communicate the substance of the inclosed despatch to the Portuguese Minister for Foreign Affairs, and to say that Her Majesty's Government hope that the Government of Portugal will convey to the Viscount de Pinheiro their disapproval of the conduct of the Acting-Governor of Angola in this matter. And you will state with regard to F. A. Flores, that so many circumstances concur to show that he is an active participator in all the Slave Trade transactions carried on at Loanda, that Her Majesty's Government are convinced that Viscount de Pinheiro cannot succeed in effectually extinguishing the Slave Trade in Angola, unless he expels Flores from that colony.

I am, &c.

(Signed) CLARENDON.

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* Nos. 321 and 337. † See Class A, No. 74. ‡ See Class A, No. 81.

No. 351.

The Earl of Clarendon to Sir R. Pakenham.

Sir, *Foreign Office, January* 14, 1854.

I TRANSMIT to you copies of a despatch* and of its inclosure from Her Majesty's Commissioners at Loanda, stating the substance of communications which have passed between Sir George Jackson and the late Governor of Angola in consequence of additional evidence which had come to light that Francisco Flores was deeply engaged in the iniquitous Traffic in Slaves.

I have to instruct you to communicate to the Portuguese Government the additional circumstances against Flores which are recorded in the inclosed despatch, and again to apply for his removal from the colony of Angola.

I am, &c.
(Signed) CLARENDON.

No. 352.

The Earl of Clarendon to Sir R. Pakenham.

Sir, *Foreign Office, January* 14, 1854.

ON reference to the inclosures of my previous despatch of the 14th instant,† you will observe that Her Majesty's Commissioners at Loanda have drawn my attention to the attempt made by the Government of Loanda in 1850 to confine within narrow limits the subjects of official correspondence between the British Commissioners and himself.

I have to point out to you that it is impossible that the intentions of the two Governments with regard to the suppression of the Slave Trade can be carried into effect, unless the British Commissioner at Loanda is permitted to communicate freely with the Governor-General of Angola; and with reference to your despatch of the 12th of July last, stating that you would endeavour to obtain from the Portuguese Government that suitable instructions upon this point should be given to the Viscount de Pinheiro, I have to instruct you to express to the Portuguese Minister for Foreign Affairs the hope of Her Majesty's Government that instructions to that effect were given to Viscount Pinheiro; but if not, you will say that Her Majesty's Government trust that orders will be sent to Loanda directing the Governor-General to receive without hesitation any amicable representations which the British Commissioner may have occasion to address to his Excellency with regard to the furtherance of the common objects which the Governments of Great Britain and Portugal had in view when they concluded the Treaty of the 3rd of July, 1842.

I am, &c.
(Signed) CLARENDON.

No. 353.

Count Lavradio to the Earl of Clarendon.—(*Received January* 17.)

(Translation.) *London, January* 16, 1854.

THE Undersigned, &c., has received orders from his Government to bring to the knowledge of his Excellency the Earl of Clarendon, &c., the inclosed document,‡ the appreciation of which the Undersigned leaves entirely to the wisdom and justice of his Excellency the Earl of Clarendon, and of Her Majesty's Government.

The palhabote "*Aguia*," mentioned in the inclosed document, had been detained on suspicion of being engaged in the infamous Traffic in Slaves by Her Britannic Majesty's cruizer "Spy," and taken for adjudication before the Mixed

* See Class A, No. 82. † No. 350. ‡ Class A, Inclosure 13 in No. 77.

Commission, which after a legal trial adjudicated her to have been unjustifiably detained, of which Her Britannic Majesty's Government will have been already informed from the proper quarter.

The Undersigned, &c. (Signed) LAVRADIO.

No. 354.

Count Lavradio to the Earl of Clarendon.—(Received January 25.)

(Translation.) *London, January 20, 1854.*

ON the 16th of August of last year, a Portuguese vessel called "*Quatro d'Abril,*" the property of a merchant of Damaun, but coming from Mozambique, and under the command of the Portuguese subject João Antonio de Sequeira, entered the harbour of Bombay.

Five negro boys came on board of that vessel, all of them freed : two of them servants of the captain, one of the mate (piloto), and the two others of two passengers who had embarked on board of that vessel.

On the same 16th day of August, in which the vessel anchored in Bombay, the five negro boys were taken on shore by day, and without any concealment ; and they had scarcely landed when they were arrested and carried before the police magistrate, who thought proper to detain them. As soon as Captain Sequeira had information of this fact, he appeared before the proper police magistrate, and having laid before him the regular passports of the five negroes, and the other documents proving that they were free, he demanded that they should be set at liberty ; but the magistrate not only did not attend to the just demand of the captain, but he ordered that the captain and the ship "*Quatro d'Abril*" should be detained, obliging the former to give security; and after hearing the opinion of the advocate of Government, the aforesaid magistrate ordered that the affair should be put into the hands of the judicial authority.

The unfortunate and innocent Captain Sequeira, through the intervention of the Consular agent of Portugal, hastened to have recourse to the Governor in Council, but with the unfortunate result that his demand was not attended to, and did not even obtain any reply whatever.

The case of Captain Sequeira proceeded, and being accused before the Supreme Court of Bombay, he was, on the 4th day of October last, condemned by it to three years imprisonment and hard labour. It must be observed that the persons constituting the jury were all British subjects, and that the Chief Justice, as it appears, did not give sufficient time for the accused party to produce all the documents which he considered essential for his defence.

In the journal called the "Bombay Gazette," of the 5th of October last, the sentence passed by the Court of Bombay against the Portuguese subject João Antonio de Sequeira, was published. This journal can be produced, if it be thought necessary.

The Undersigned, Envoy Extraordinary and Minister Plenipotentiary of Her Most Faithful Majesty, has received the commands of his Government to acquaint his Excellency the Earl of Clarendon, &c., with the facts above referred to, and to call the attention of his Excellency to the illegality of the proceedings of the Police Magistrate, of the Governor, and of the Supreme Court of Bombay, who all violated several Articles of the Treaty concluded between the Crowns of Portugal and Great Britain, on the 3rd of July, 1842, for the complete abolition of the Slave Trade, the result of these violations being an attack upon the liberty, property, and honour of a Portuguese subject.

The Police Magistrate of Bombay, in arresting a Portuguese subject and detaining a Portuguese ship whose papers were found to be regular, not only violated various Treaties existing between the Crowns of Portugal and Great Britain, but also the principles of the Law of Nations recognized and observed even by those nations which are not, like Portugal and Great Britain, bound by Treaties.

The Police Magistrate, for his proceeding as he did, could not allege the provisions of the Act of George IV of the 24th of June, 1824, which were modified by the above-mentioned Treaty of the 3rd of July, 1842. Nor could

he allege any article of this Treaty which would be favourable to his proceedings.

If the ship "*Quatro d'Abril*" could be suspected of having been engaged in the Slave Trade, there might perhaps have been a pretence for maintaining that the authorities of Bombay had a right to detain her, and to bring her before the proper Mixed Commission, the only Court which has cognizance of similar causes. But this very fact cannot be admitted by the Undersigned, because it is not in conformity with the letter of Article II of the Treaty mentioned. Nor can it be alleged that the case exists which is supposed in No. 4, Article III, of that Treaty.

In case of suspicion that the ship was engaged in the Slave Trade, the right and the duty of the Bombay authorities would be merely to give the proper information to the cruizers of either of the two nations that might happen to be nearest, that they might proceed in conformity with the stipulations of the Treaty of 1842.

But even though the Undersigned could admit that the police of Bombay had the right of proceeding to search Portuguese ships entering the harbour, even then the Police Magistrate, in detaining the ship "*Quatro d'Abril*," would have violated the above-mentioned Treaty, for the reason that the rules therein laid down were not observed, nor was there found on board the said ship any of those things which are pointed out in Article IX of the said Treaty as required to legalise the detention of any ship whatever, as suspected of being employed in the Slave Trade.

The five negro servants who came on board of the ship "*Quatro d'Abril*," even if they had been proved to be slaves (though the contrary was proved), could not, in view of Article V of the Treaty of the 3rd of July, 1842, cause the detention of the ship. But even though they could give rise to the detention, the Bombay Court could never, without a plain violation of Article VI of the said Treaty, be competent to take cognizance of an accusation which could only be brought before Mixed Commissions, as it is stipulated in the VIth Article mentioned.

The Undersigned is of opinion that the Governor of Bombay also violated the said Treaty, inasmuch as having duly received timely information of the illegal procedure of the Police Magistrate, which the Undersigned has the honour to prove by the two documents annexed, he took no steps tending to remedy the same, nor did he even send any reply to the petition in which an unfortunate Portuguese subject had recourse to his protection, requesting to be allowed to defend his liberty and property, so illegally and unjustly attacked by an agent of the Administration over which he presided.

The Undersigned thinks it expedient to abstain, for reasons which his Excellency the Earl of Clarendon will without doubt appreciate, from analyzing the remarkable sentence of the Supreme Court of Bombay, and the equally remarkable address of the Chief Justice, and will confine himself to complain and protest, as a violation of the Treaty of the 3rd of July, 1842, against the competency of that Court to try a cause the cognizance and determination of which could only appertain to one of the Mixed Commissions instituted in conformity with the stipulations of the above-mentioned Treaty.

The Undersigned will not do the Chief Justice of Bombay the injustice to suppose that he was ignorant of the provisions of a Treaty which has the force of law through the whole British Empire. It being, then, unquestionable that, in view of the Treaty of the 3rd of July, 1842, the Supreme Court of Bombay is incompetent to take cognizance of accusations brought against Portuguese subjects suspected of being engaged in the infamous Slave Trade, it is evident that the sentence passed by that Court on the 4th of October last, against the Portuguese subject João Antonio de Sequeira, captain of the ship "*Quatro d'Abril*," is null, and consequently all the effects thereof are null.

In consequence hereof, and in accordance with the orders which he has received from his Government, the Undersigned hopes that, so soon as his Excellency the Earl of Clarendon shall have examined into this matter with the requisite circumspection, Her Britannic Majesty's Government, with its characteristic justice, will hasten—

First. To give due satisfaction for the violation, or rather violations, of the Treaty of the 3rd of July, 1842, committed by the above-mentioned authorities of Bombay.

Secondly. To repair the grave injury done to the Portuguese subject João Antonio de Sequeira, captain of the ship "*Quatro d'Abril*," and to indemnify him for the sufferings resulting from his illegal condemnation, and the losses and damages arising therefrom, as also from those which resulted from the detention of the ship under his command.

Thirdly. To indemnify in a just manner the owners, passengers and charterers of the said ship, for the losses arising from her illegal detention.

But the Undersigned, being aware that Her Majesty's Government cannot take a definitive resolution upon the facts above alleged, without having first proceeded to a minute investigation, and conscious also of the rigorous duty which binds him, as the Minister of Her Most Faithful Majesty at the Court of Her Britannic Majesty, to make every possible effort to obtain, with the utmost practicable speed, that the innocent Portuguese subject João Antonio de Sequeira, illegally deprived of his liberty, and compelled to hard labour, may experience some alleviation in his misfortune, and be released from his sufferings, the Undersigned hopes, trusting in the well-known justice and clemency of Her Britannic Majesty's Government, that, before the result of the inquiry shall be brought before it, it will, in the exercise of the power conferred on it by the laws, direct the necessary orders to be transmitted, to the effect that the unfortunate and innocent Portuguese subject, now imprisoned in Bombay, may be immediately set at liberty, without prejudice to the reparations and indemnifications which are due to him.

The Undersigned begs leave to observe to his Excellency that the reparations and indemnifications demanded by him, besides being in conformity with the principles of natural law, and being found written in the codes of all civilized nations, are expressly determined in Articles IV and VIII of the Treaty of the 3rd of July, 1842.

The Undersigned, &c. (Signed) LAVRADIO.

No. 355.

The Earl of Clarendon to Count Lavradio.

M. le Comte, *Foreign Office, January* 23, 1854.

I HAVE the honour to acknowledge the receipt of your note of the 16th instant, inclosing a paper containing charges of improper conduct against the British prize officer and crew of the Portuguese schooner "*Aguia*," which was captured by Her Majesty's ship "Spy" on suspicion of Slave Trade in June 1853, and taken for adjudication before the Court of Mixed Commission at Loanda, by which Court she was released.

And I beg to inform you, in reply, that I have requested the Lords of the Admiralty to cause strict inquiry to be made into the charges in question, the result of which I shall have the honour of making known to you as soon as it shall be communicated to me.

I am, &c.
(Signed) CLARENDON.

No. 356.

Sir R. Pakenham to the Earl of Clarendon.—(Received January 25.)

My Lord, *Lisbon, January* 18, 1854.

BY your Lordship's despatch of 5th of December last, I was instructed to propose to His Most Faithful Majesty's Government a renewal of the arrangement originally concluded on 12th August, 1847, as recorded in the Protocol of that date, and continued for a further period of three years by the Protocol of 19th November, 1850, whereby the Portuguese Government consents to allow Her Majesty's ships employed in suppressing the Slave Trade to enter the bays, ports, creeks, rivers, and other places within the dominions of the Crown of Portugal on the east coast of Africa, where no Portuguese authorities are esta-

blished, in order the better to prevent the Slave Trade from being carried on at those places.

I have the honour to submit herewith the copy of a note which, in fulfilment of this instruction, I addressed to the Viscount d'Athoguia on 21st of last month, and a translation of his Excellency's answer received a few days ago, which states that "the necessary instructions have been sent to the Count Lavradio upon this subject, to be made suitable use of at the proper time," and this, because the former Protocols referred to in your Lordship's instructions had been signed in London.

When I spoke to the Viscount d'Athoguia respecting a further renewal of the Protocol of 1847, I thought it better not to appear to anticipate any objection on his part to the proposed arrangement, nor did he make any observations to lead me to suppose that there would be any difficulty about the matter.

He merely said that he would look into what had formerly taken place respecting the arrangement which it was thus proposed to renew.

I hope that the Viscount d'Athoguia's determination to commit the management of this affair to the Count de Lavradio may not arise from a desire to resist the wishes of Her Majesty's Government in the matter in question, in consequence of the correspondence which has lately taken place between your Lordship and the Count de Lavradio relative to the proceedings of Commander Bunce at Quissanga in August 1852, but if this should unfortunately prove the case, it will be all the better that the discussion of the question should be altogether in your Lordship's hands.

I have, &c.
(Signed) R. PAKENHAM.

Inclosure 1 in No. 356.

Sir R. Pakenham to Viscount d'Athoguia.

Lisbon, December 21, 1853.

THE Undersigned, &c., has the honour to recall to the recollection of his Excellency the Viscount d'Athoguia that, on the 19th of November, 1850, there was signed in London by the Plenipotentiaries of Great Britain and of Portugal a Protocol, whereby the Government of Her Most Faithful Majesty agreed to renew for a period of three years from that date, the permission granted by the Protocol of the 12th of August, 1847, authorizing Her Majesty's ships employed in suppressing the Slave Trade to enter the bays, ports, creeks, rivers, and other places within the dominions of the Crown of Portugal, on the east coast of Africa, where no Portuguese authorities are established, in order that those ships might prevent the Slave Trade from being carried on in such places.

As the period stipulated in that Protocol expired on the 19th of last month, Her Majesty's Government have instructed the Undersigned to propose to Her Most Faithful Majesty's Government a renewal of the above-mentioned arrangement for a further period of five years.

With this view the Undersigned has the honour to inclose the draft of a Protocol, recording the proposed agreement between the two Governments for an object which they have both equally at heart, and for the further attainment of which the Undersigned needs scarcely to observe the united efforts of the two countries must still for some time be constantly required.

The Undersigned, &c. (Signed) R. PAKENHAM.

Inclosure 2 in No. 356.

Viscount d'Athoguia to Sir R. Pakenham.

(Translation.)

Sir, *Palace, January* 9, 1854.

I HAVE the honour to acknowledge the receipt of the note which you addressed to me on the 21st December last, acquainting me that you had received instructions from your Government to propose to His Majesty's Government the renewal, for five years more, of the Protocol signed at London on the 19th

November, 1850, by which Her Britannic Majesty's ships engaged in the suppression of the Slave Trade were authorized, as they had been by the former one, also signed at London on the 12th August, 1847, to enter the bays, ports, rivers, and gulfs within the dominions of the Crown of Portugal on the east coast of Africa, where no Portuguese authorities may be established, inasmuch as the time stipulated in that Protocol had expired on the 19th November of last year.

In answer to your note above mentioned, I have to state to you that the Count de Lavradio, His Majesty's Minister at that Court, has been furnished with the necessary instructions upon this subject, to be acted upon as required, and at a fitting time, seeing that the Protocols referred to had been also signed there.

I renew, &c.
(Signed) VISCOUNT D'ATHOGUIA.

No. 357.

Sir R. Pakenham to the Earl of Clarendon.—(Received January 25.)

My Lord, *Lisbon, January 18, 1854.*

I HAD the honour on the 14th of this month to receive your Lordship's despatch of the 7th instant, inclosing copies of a correspondence which had passed between your Lordship and the Count de Lavradio, relative to the permission lately granted by the Portuguese Government to a certain Senhor José Maria de Souza e Almeida, to transport from Benguella to Prince's Island one hundred negroes; and inclosing also copies of an instruction addressed by your Lordship to the British Commissioners at Loanda, and of a letter to the Admiralty relative to the same affair.

I have the honour herewith to submit a copy of a letter which I wrote to Sir George Jackson, inclosing copies of the late Decree of the Portuguese Government.

I am glad to find that the suggestions contained in that letter are in perfect accordance with your Lordship's instructions to Her Majesty's Commissioners at Loanda, and with what is said in the letter to the Admiralty on the subject referred to.

I have, &c.
(Signed) R. PAKENHAM.

Inclosure in No. 357.

Sir R. Pakenham to Sir George Jackson.

Sir, *Lisbon, December 30, 1853.*

IN the inclosed numbers of the official "Gazette" you will find a Decree lately issued by the Portuguese Government, conferring on a certain José Maria de Souza e Almeida, a grant of land in the Ilha do Principe, with the privilege of transporting to that island "one hundred slaves of those which he now possesses in the Province of Angola," subject to the condition of first making them free, which freedom it is proposed to secure to them after their arrival at the island by a code of regulations which will be found in another number of the official "Gazette," of which I also forward copies.

You will probably receive instructions upon this subject from Her Majesty's Government by an early opportunity, but in the meantime I think it important that you should be informed of what has occurred, in order that you may be prepared to report to Her Majesty's Government in what manner the condition of previous manumission, and other conditions prescribed by the Decree, are or have been fulfilled; also whether the liberation or pretended liberation of the 100 slaves transported to Principe is not likely to be followed by reducing to slavery an equal number of Africans to supply their place.

You will, I dare say, likewise agree with me in thinking it desirable to

obtain all possible information as to the manner in which this Decree is carried into effect at the Ilha do Principe, if you have any means of communicating with that island.

I have, &c.
(Signed) R. PAKENHAM.

No. 358.

Sir R. Pakenham to the Earl of Clarendon.—(Received January 25.)

My Lord, *Lisbon, January 18, 1853.*

SOME conversation has lately taken place in the Portuguese Chamber of Peers upon the subject of the Slave Trade, in consequence of reports which have appeared in the newspapers of the recent equipment of two vessels, the "*Guerra*" and the "*Trajano*," at Oporto, strongly suspected of being intended for the Slave Trade.

The principal mover in this matter was the Count de Thomar, who, your Lordship will be glad to hear, as well as the other Peers who took part in the conversation, spoke forcibly on the necessity of resisting every attempt to revive the Slave Trade, either in this country, or in the Portuguese Colonial Possessions.

The tone taken by the newspapers of all parties on this occasion, in speaking on the subject of the Slave Trade, is also, I am glad to say, becoming and satisfactory.

In reply to the inquiries of the Opposition members, the Ministers declared that the Government had received no information on the subject of the equipment of the two vessels, beyond what was stated in the public papers.

They did not deny that such equipments for slave-trading purposes might possibly take place in a Portuguese port, without the agents of the Government having the power to prevent it, owing to the ingenuity of the slave-traders in evading the provisions of the law; but they gave the most positive assurances that everything should be done on the part of the Government to defeat the presumed object of the owners of the two vessels, and, if possible, to bring the offenders to justice.

I wrote to Mr. Consul Johnston on the 29th of last month, requesting him to furnish me with any information which he might be able to obtain respecting those two vessels; but as I have as yet received no answer to my letter, I presume that it must have miscarried, and I have accordingly sent a duplicate of it.

I take this opportunity to acknowledge the receipt of your Lordship's despatch of the 30th December, which reached me on the 13th instant.

I have, &c.
(Signed) R. PAKENHAM.

No. 359.

Sir R. Pakenham to the Earl of Clarendon.—(Received January 25.)

My Lord, *Lisbon, January 18, 1854.*

IN speaking to the Viscount d'Athoguia respecting the alleged equipment of slave-vessels at Oporto, which forms the subject of my preceding despatch of this date, I took occasion again to press for the expulsion of Francisco Antonio Flores, about which I had received fresh orders from your Lordship in your despatch of the 12th of last month.

I beg leave to inclose a copy of the note which I wrote to the Viscount d'Athoguia on the 24th of last month, communicating the additional evidence of Flores' criminality furnished by your Lordship's despatch, and calling upon him to redeem the pledge given in his note of the 4th November last, to the effect that if it could be shown that by any act of his, Flores had contributed to the revival of the Slave Trade, he should be either sent away from Angola, or punished according to law.

I am glad to say that from what passed between the Viscount d'Athoguia and myself in the conversation to which I refer, I hope to be able in a short time to inform your Lordship that orders have been given for the expulsion of Flores from the Portuguese dominions. The Viscount d'Athoguia told me that he thought we had furnished sufficient evidence to justify that step on the part of the Government of Portugal; but that it would be necessary to prepare materials to meet any remonstrance which might be made on the part of the Government of Brazil respecting such a summary proceeding in the case of a Brazilian subject.

I have accordingly pointed out to his Excellency in the printed papers relating to the Slave Trade for the years from March 1850 to April 1853, the precedents furnished by the Brazilian Government for dealing in the same way with persons notoriously concerned in the Slave Trade, but whose criminality it might not be easy to establish by formal trial, which course of proceeding is upheld as a principle by the Brazilian Government, the persons so expelled from the Brazilian territory being, moreover, Portuguese subjects.

I have, &c.

(Signed) R. PAKENHAM.

Inclosure in No. 359.

Sir R. Pakenham to Viscount d'Athoguia.

Sir, *Lisbon, December* 24, 1854.

IN a note which I had the honour to receive from your Excellency, dated the 20th of September last, your Excellency was pleased to explain the reasons which determined Her Most Faithful Majesty's Government not to accede to the application made by me, in the name of Her Majesty's Government, for the expulsion of a certain Brazilian subject named Francisco Antonio Flores, on the ground of his notorious participation in the Slave Trade, and of his persevering endeavours to revive that criminal Traffic in the province of Angola, where he has for some time been allowed to reside.

In reply to your Excellency's note of the above-mentioned date, I was directed to express to your Excellency the surprise of Her Majesty's Government that their request for the expulsion of Flores should not have been complied with, because it seemed to Her Majesty's Government that the motives of your Excellency's refusal to adopt that measure were not sufficiently founded.

This communication on my part was followed by one from your Excellency dated the 4th of last month, in which your Excellency was pleased, amongst other things, to say that "if, by any act of the said Flores, it should be shown that he takes part in the revival of that odious Traffic, Her Majesty's Government will cause him to depart from the province or to be punished, in which case there will surely be no complaint on the part of the Brazilian Government."

I beg leave to assure your Excellency that when, in the month of September last, Her Majesty's Government directed me to apply for the removal of a Brazilian subject from the Portuguese territory of Angola, that step was not taken without a full conviction in the mind of Her Majesty's Government of the justice of the measure which they wished Her Most Faithful Majesty's Government to adopt, as well as of the urgent necessity of such a proof on the part of Her Most Faithful Majesty's Government of their determination no longer to tolerate the Slave Trade in any part of Her Most Faithful Majesty's dominions.

But Her Most Faithful Majesty's Government were of opinion that the case against Flores rested only on suspicion, and that some satisfactory evidence of his criminality would be required to justify his expulsion.

This evidence it is now in my power to supply to your Excellency, in such a convincing form as ought, in the opinion of Her Majesty's Government, to remove all doubts or hesitation on the part of Her Most Faithful Majesty's Government as to the propriety of the step which Her Majesty's Government now expect them to take.

If your Excellency will have the goodness to turn to page 227 of the printed papers relating to Slave Trade laid before Parliament last year, your Excellency will find that, among the documents shown to have been found in the possession of a certain Don Jacintho Derizanz, captain of the "*Valoroso*," a

slaver under Sardinian colours, detained by Her Majesty's ship "Sharpshooter" on the coast of Brazil in June 1851, there were two letters, one from Flores to Derizanz, and the other from Derizanz to Flores, both of them clearly establishing the participation of Flores in slaving operations.

I have the honour herewith to inclose copies of these letters,* attested by the Honourable W. Stafford Jerningham, late Her Majesty's Chargé d'Affaires at Rio de Janeiro. I beg leave further to inclose a copy of a letter† lately addressed to the Admiralty by Commander Wilmot, an officer for some time employed on the coast of Africa, stating that, to his positive knowledge, Francisco Antonio Flores was the consignee of an American vessel called the "*Silenus*," which carried away 600 slaves from Ambriz in the month of January last; as well as other facts tending to prove Flores' active participation in the Slave Trade.

In communicating these facts to your Excellency, I am commanded to add, that Her Majesty's Government can now no longer believe that Her Most Faithful Majesty's Government will continue to permit the residence of a man so notorious as Flores in the province of Angola.

I have, &c.

(Signed) R. PAKENHAM.

No. 360.

Count Lavradio to the Earl of Clarendon.—(*Received February* 1.)

(Translation.) *London, January* 31, 1854.

THE Undersigned, Envoy Extraordinary and Minister Plenipotentiary of Her Most Faithful Majesty, has the honour to transmit to his Excellency the Earl of Clarendon, &c., the inclosed copy of a letter which the Governor-General of Portuguese India addressed on the 18th day of November last, to Lord Falkland, Governor of Bombay, complaining of the detention, ordered by the authorities of that Presidency, of the Portuguese subject Antonio Maria da Costa, captain of the Portuguese brig "*Nossa Senhora da Conceçião,*" under the pretext of his having African servants on board, although they were free, which appears to have been proved by the said Captain Costa, before the proper authorities.

This case appears to be in everything similar to that of the unfortunate João Antonio de Sequeira, the captain of the ship "*Quatro d'Abril;*" and this being the case, all those arguments will be applicable to it, which the Undersigned employed in the note which he had the honour to address to his Excellency the Earl of Clarendon on the 20th instant, which would prove to him the irregularity of the proceedings of the authorities of Bombay, and demanding reparation. But it appears to the Undersigned unnecessary to repeat what is said in that note.

The Undersigned begs leave to observe to his Excellency, that it being very difficult, or almost impossible, for the merchant ships of Portuguese Asia and Africa to complete their crews with white men, and being therefore compelled to have recourse to African freed men, if the authorities of English India shall continue to proceed as they have recently done with Captains Sequeira and Costa, the commerce of the remaining colonies which the Crown of Portugal has still in India will be shortly annihilated, as well as that of those vast colonies which it still possesses on the eastern coast of Southern Africa.

To prevent then the ruin of those possessions, which are so dear to the descendants of their heroic discoverers and conquerors, and also to prevent the repeated and unpleasant reclamations which the Government of Her Most Faithful Majesty is frequently compelled to address to Her Britannic Majesty's Government, it appears to the Undersigned that it will be expedient, by means perhaps of an additional Article to the Treaty of the 3rd July, 1842, to regulate this matter in a way which may restrain the excesses of zeal of certain colonial authorities which have produced much injury to the subjects and commerce of Portugal, without any result for the great objects which, at the cost of con-

* See Inclosures in No. 114. † See Inclosure in No. 343.

siderable sacrifices, the two Governments of Portugal and Great Britain have aimed at for many years—the complete abolition of the trade in negroes, and of the state of slavery.

The Undersigned, &c. (Signed) LAVRADIO.

Inclosure in No. 360.

The Governor-General of Portuguese India to Lord Falkland.

(Translation.) *Goa, November* 18, 1853.

THE owner of the brig [brigue palla] "*Nossa Senhora da Conceição*" has just represented to me that the captain of the said brig, Antonio Maria da Costa, has been detained in Bombay by the English authorities, on account of African servants which the said captain had on board of the above-mentioned ship.

2. Under date the 19th October last, I had the honour to write a note to your Excellency pointing out the manifest injustice of the sentence and condemnation of the Portuguese subject João Antonio de Sequeira, in contravention of the Treaty concluded between Portugal and Great Britain, the 3rd July, 1842.

3. I am informed that the said servants of Captain Costa are not slaves, because they were solemnly emancipated in Mozambique, by deed of manumission. If this is so, or if in their passports it is declared that they are free, I hope that your Excellency will not permit the matter to be intrusted to the judicial courts of Bombay, but that you will decide it by your own authority, according to the Treaty above-mentioned, investigating the legality of the documents brought forward by the prisoner, which can be attested by the Portuguese agent, Braz Fernandez.

4. In case the decision of the cause of detaining the captain of the Portuguese ship "*Nossa Senhora da Conceição,*" in Bombay, be intrusted to the judicial courts of that city, as was the case of Captain Sequeira, I request your Excellency to receive the protest which I make against the incompetence of the said courts to pass sentence upon a Portuguese subject for the fact of bringing African servants from a Portuguese colony, and on board of a ship of that nation.

I have, &c.

(Signed) VISCOUNT DE VILLA NOVA D'OUREM.

No. 361.

The Earl of Clarendon to Sir R. Pakenham.

Sir, *Foreign Office, February* 3, 1854.

I HAVE received your despatch of the 28th ultimo, inclosing a copy of a note which, in compliance with the instructions contained in my despatch of the 14th ultimo, you addressed on the 25th of January to the Viscount d'Athoguia, urging his Excellency to issue instructions to the Governor-General of Angola to receive, without hesitation, any communications which Her Majesty's Commissioners at Loanda may have occasion to address to him on matters relating to the suppression of Slave Trade.

And I have, in reply, to inform you, that I entirely approve your note to the Viscount d'Athoguia on this subject.

I am, &c.

(Signed) CLARENDON.

No. 362.

Sir R. Pakenham the Earl of Clarendon.—(Received February 3.)

My Lord, *Lisbon, January* 28, 1854.

I HAD the honour on the 22nd instant to receive your Lordship's despatches of the 14th instant.

I have fulfilled the instructions contained in the first of these despatches by presenting to the Viscount d'Athoguia a note complaining of the want of zeal and vigilance exhibited by the authorities of Loanda in the case of the American barque "*Republic*," which formed the subject of a despatch from Her Majesty's Commissioners to your Lordship of 10th September, 1853.

In the course of a conversation which I had yesterday with the Viscount d'Athoguia respecting this affair, and other matters connected with the Slave Trade, his Excellency told me that he had received from the late Acting Governor-General of Angola, who is now at Lisbon, explanations respecting the case of the "*Republic*," from which it would appear that the local Government had been deterred from detaining that vessel, through fear of a heavy claim for damages on the part of the American Government; there being no absolute proof, although a very strong presumption, that she was engaged on a slaving expedition.

I have, &c.

(Signed) R. PAKENHAM.

No. 363.

Sir R. Pakenham to the Earl of Clarendon.—(*Received February* 3.)

(Extract.) *Lisbon, January* 28, 1854.

WITH reference to what I had the honour to say in my despatch of the 18th instant, respecting the equipment of two vessels at Oporto, supposed to be intended for the Slave Trade, I have now the honour to lay before your Lordship a copy of a letter which I have received from Mr. Consul Johnston in answer to my letter of inquiry relative to those vessels.

Inclosure in No. 363.

Consul Johnston to Sir R. Pakenham.

Sir, *Oporto, January* 21, 1854.

I HAVE had the honour to receive your letter of the 29th ultimo respecting a statement which appeared in the "Revolução" newspaper of the 27th ultimo, that vessels intended for the Slave Trade had been equipped at Oporto, and sailed hence for the coast of Africa.

I have delayed my report, hoping to be able to submit to you positive information on the subject, which, previously to my receipt of your letter, I was, as I have since been, endeavouring to collect; but hitherto I have obtained none which I can consider as certain, but what I have reason to believe has already been laid before the Portuguese Government, namely, that the "*Guerra*" sailed on the 6th November last, bound to Santos, calling at Vianna; and the "*Trajano*" on the 9th ultimo, bound to Rio Grande, calling at the Azores; neither of the vessels being more than half laden, and both taking a large quantity of rice and beans, and large cooking stoves.

I shall not fail to continue my inquiry, and to communicate to you any circumstances worthy of your notice which I may learn.

I have, &c.

(Signed) EDWIN J. JOHNSTON.

No. 364.

Sir R. Pakenham to the Earl of Clarendon.—(*Received February* 3.)

My Lord, *Lisbon, January* 28, 1854.

I HAVE the honour herewith to inclose a copy of a note which, in obedience to the instructions contained in your Lordship's despatch of the 14th January, I addressed to the Viscount d'Athoguia on the 25th instant, in order, if possible, to bring to a settlement the long-standing question with regard to freedom of communication between Her Majesty's Commissioners and naval officers, and the Portuguese authorities in the African settlements.

Your Lordship will perceive that in this note reference is made to two former notes addressed to the Viscount d'Athoguia upon the same subject, besides which I have in conversation repeatedly recalled this matter to his Excellency's recollection.

I feel obliged, in justice to the Viscount d'Athoguia, to say that he has always treated the affair as one about which no difficulty ought to be made, and has as often assured me that orders to this effect should be sent to the colonies without further delay; but, unfortunately, this promise has hitherto remained unfulfilled.

I hope that, with the help of your Lordship's late instructions, such an unnecessary and vexatious obstruction to the public service of both countries as that raised by the Portuguese colonial authorities will now at length be removed.

I have, &c.
(Signed) R. PAKENHAM.

Inclosure in No. 364.

Sir R. Pakenham to Viscount d'Athoguia.

Sir, *Lisbon, January* 25, 1854.

WITH reference to my previous note of this date upon the subject of a vessel under American colours, called the "*Republic*," which arrived at Loanda in August last, and was allowed to depart unmolested, notwithstanding the circumstances in her case affording strong suspicion that she was engaged in the Slave Trade, I am instructed to acquaint your Excellency that in the course of the communications which passed between the British Commissioners and the Acting Governor-General on that occasion, his Excellency manifested a certain degree of reluctance to receive the representation made to him by the British Commissioners relative to the case of the "*Republic*;" thus, in point of fact, reviving the question which was first raised by the Governor of Loanda in 1850, as to the extent to which the British Commissioners would be allowed to communicate with the chief of the Colonial Government.

I am accordingly directed to point out to your Excellency that it is impossible that the intentions of the two Governments with regard to the suppression of the Slave Trade can be carried into effect unless the British Commissioner at Loanda is permitted to communicate freely with the Governor-General of Angola.

Your Excellency will have the goodness to recollect that I have already had the honour on various occasions to direct your Excellency's attention to this point (more particularly by my notes of 12th July and 2nd November last), and as I know that your Excellency is well disposed to remove whatever difficulty may exist as to the freest and most unreserved communication between the servants of the two Crowns in all that relates to the suppression of the Slave Trade, I venture to hope that your Excellency will see fit to take advantage of the first opportunity which may present itself to transmit instructions to the Viscount de Pinheiro, directing him to receive without hesitation any amicable representations which the British Commissioner may have occasion to address to his Excellency in furtherance of the common objects which the Governments of Great Britain and Portugal had in view when they concluded the Treaty of July 3, 1842.

I take, &c.
(Signed) R. PAKENHAM.

No. 365.

The Earl of Clarendon to Count Lavradio.

Foreign Office, February 8, 1854.

THE Undersigned, &c., has the honour to acknowledge the receipt of the notes addressed to him on the 20th and 31st ultimo by the Count de Lavradio, &c., relative to the trial at Bombay of two Portuguese subjects, named Sequeira

and Da Costa, who it appears have been accused of dealing in African slaves.

The Undersigned begs to inform Count Lavradio that he is in communication with the Board of Commissioners for the Affairs of India upon the subject of these two cases, and when they shall have been investigated, the Undersigned will have the honour of communicating further with Count Lavradio thereupon.

The Undersigned, &c. (Signed) CLARENDON.

No. 366.

The Earl of Clarendon to Count Lavradio.

Foreign Office, February 8, 1854.

THE Undersigned, &c., has the honour to inform the Count de Lavradio, &c., that he has received from Her Majesty's Minister at Lisbon a despatch stating that the Viscount d'Athoguia has sent instructions to Count Lavradio with regard to the request of Her Majesty's Government that the Government of His Most Faithful Majesty will renew for a period of five years the Protocol which has lately expired, whereby Her Majesty's ships employed in the suppression of the Slave Trade were authorized to enter the bays, ports, creeks, rivers, and other places within the dominions of the Crown of Portugal on the east coast of Africa, where no Portuguese authorities are established, in order that those ships might prevent the Slave Trade from being carried on in such places.

Accordingly the Undersigned begs leave to transmit to Count Lavradio a draft of the proposed Protocol,* and he requests that Count Lavradio will have the goodness to state when he may be able to meet the Undersigned for the purpose of signing the said instrument.

The Undersigned, &c. (Signed) CLARENDON.

No. 367.

Count Lavradio to the Earl of Clarendon.—(Received February 17.)

(Translation.) *London, February* 15, 1854.

THE Undersigned, Envoy Extraordinary and Minister Plenipotentiary of His Most Faithful Majesty, had the honour to receive the note addressed to him on the 8th instant by his Excellency the Earl of Clarendon, &c., informing him that it appeared from a despatch received from Her Britannic Majesty's Minister in Lisbon that his Excellency Viscount d'Athoguia had sent instructions to the Undersigned in reference to the proposition made by the Government of Her Britannic Majesty to that of His Most Faithful Majesty, for the further renewal for five years of the concessions made to Her Britannic Majesty's Government, to the effect that the cruizers engaged in preventing the Slave Trade in Eastern Africa might enter into the bays, harbours, creeks, rivers, and other places belonging to the Crown of Portugal on the eastern coast of Africa, where there should be no Portuguese authorities to prevent the Slave Trade, in conformity with what the two Governments had agreed to on the 12th of August, 1847, and subsequently on the 19th November, 1850, which is contained in the Protocols signed in London on the dates mentioned.

Inclosed in his Excellency's note alluded to, the Undersigned received the draft of a new Protocol, proposing not only the renewal of the concessions made in the two preceding, but also that their duration should be for five years instead of three.

The Undersigned, previously to the termination of the period fixed in the Protocol of the 19th November, 1850, for the duration of the concessions

* See Inclosure in No. 341.

contained in it, had received from his Government the instructions requisite for replying categorically to any proposition which might be made by Her Britannic Majesty's Government for the renewal of the above-mentioned concessions.

First of all, the Undersigned received the commands of his Government to observe to his Excellency the Earl of Clarendon that during the interval between the signature of the first and second Protocols, that is to say, from the 12th August, 1847, to the 19th November, 1850, the conduct of the British cruizers had not given occasion for any complaint or reclamation on the part of Her Most Faithful Majesty's Government, and this was one of the reasons which induced the Government of Her Most Faithful Majesty to consent (although with very great difficulty) to the wishes of Her Britannic Majesty's Government, prolonging for three years more concessions which, it must be said, were hardly in conformity with the principles of law regulating the inviolability of the territory of independent nations.

But if, during a term of more than three years, the British cruizers did not overstep the limits of the generous concessions which the Government of Her Most Faithful Majesty has made to that of Her Britannic Majesty, this was not the case after the signature of the second Protocol. The Undersigned is not now about to write anew the history of the proceedings of British cruizers on the eastern coast of Africa, which belongs to the Crown of Portugal; but yet he cannot but take this opportunity to remind his Excellency that the reclamations made by the Undersigned against the proceedings alluded to have not yet been satisfied; and this alone would be sufficient for the Undersigned, in fulfilment of his instructions, to refuse signing a new Protocol on this matter.

The Undersigned takes the liberty of again calling the attention of his Excellency the Earl of Clarendon to the notes which, on the 12th September, and on the 24th October, and lastly, on the 6th November of last year, he had the honour to address to his Excellency. But even though the Government of His Most Faithful Majesty should not consider the facts treated of in the above-mentioned notes to be sufficient for refusing to renew the extraordinary concessions which it had made for a time to the Government of Her Britannic Majesty, there is now a legal impediment to the renewal of those concessions, which His Most Faithful Majesty's Government cannot remove without the previous consent of the Cortes. According to the provisions of Article X of the Additional Act of the Constitutional Charter of the Portuguese monarchy, the Government cannot ratify a Treaty, Concordat, nor any Convention, whatever its nature may be, without the previous approval of the Cortes.

If, then, His Most Faithful Majesty's Government, in view of all that has taken place on the eastern coast of Portuguese Africa (with the manifest indignation of the public in Portugal), should dare to lay before the Cortes for approval a new Protocol, proposing the renewal of the concessions made in the the above-mentioned preceding Protocols for five years more, not only would the requested approval be refused with indignation and heavy censure, but an accusation would probably follow against the Ministers who could not or would not defend the dignity of the Crown, and the independence and interests of the nation.

For all these reasons then, which will certainly be duly appreciated by his Excellency the Earl of Clarendon and the Government of Her Britannic Majesty, the Undersigned has received the most positive commands of his Government to make known to his Excellency that the concessions contained in the Protocols of the 12th August, 1847, and renewed for three years more on the 19th November, 1850, and which ceased to have effect on the 19th November of last year, could not, chiefly for the reasons above-mentioned, be again renewed.

By the same occasion, the Undersigned received the commands of his Government to assure his Excellency that the most positive orders had been transmitted to the various governors of Portuguese Africa, and to the commanders of the naval stations, to pursue with the utmost activity and energy all who should engage or endeavour to engage in the infamous Traffic in Slaves, and to promote, so far as it should depend upon them, the application of the severe laws in force against slavers, and against any person soever who directly or indirectly should protect them.

The Government of His Most Faithful Majesty has used, uses, and will continue to use every possible effort, not only completely to prevent the infamous Traffic, but also to extinguish the state of slavery in all its dominions, so soon as

this great act of humanity of which Great Britain has given a very laudable example to the civilized world, shall be compatible with the means at its disposal.

The Undersigned, &c. (Signed) LAVRADIO.

No. 368.

The Earl of Clarendon to Sir R. Pakenham.

Sir, *Foreign Office, February* 20, 1854.

I TRANSMIT to you herewith, copies of a letter, and of its inclosures from the Admiralty, respecting a right asserted by the commander of the Portuguese war schooner "Conde do Tojal," of boarding an English merchant-vessel, which was lying in the port of Ambriz, in company with Her Majesty's ship "Atholl," but which pretension was resisted by Lieutenant Pearse, the officer in command of the "Atholl."

I also transmit to you a copy of the answer which I have caused to be returned to the Admiralty; and in accordance with what is therein stated, I have to instruct you to make the facts of this case known to the Government of His Most Faithful Majesty, and to say that the conduct of Lieutenant Pearse has been approved by Her Majesty's Government.

I am, &c.
(Signed) CLARENDON.

Inclosure 1 in No. 368.

Rear-Admiral Bruce to the Secretary to the Admiralty.

Sir, *"Penelope," off Lagos, January* 10, 1854.

I TRANSMIT herewith, to be laid before the Lords Commissioners of the Admiralty, copies of a correspondence between the commander of the Portuguese vessel of war "Conde do Tojal," and Lieutenant Pearse, of Her Majesty's ship "Atholl," relative to an objection made on the part of the latter to a boat from the above-mentioned vessel boarding an English schooner while at anchor in company with one of Her Majesty's ships, without the requisition being duly made, as in such cases is provided for by Article IV of the Treaty with Portugal for the suppression of the Slave Trade.

Their Lordships will not fail to notice that this question cannot be considered without reference to the claim of Portugal to the sovereignty of Ambriz. Acting, however, on the spirit of the instructions with which I am furnished, I shall approve of Lieutenant Pearse's proceedings, which appear to have been marked by a proper firmness of purpose, and carried out with that degree of courtesy which is due between the officers of friendly nations.

I have, &c.
(Signed) H. W. BRUCE.

Inclosure 2 in No. 368.

The Commander of the "Conde do Tojal" to Lieutenant Pearse.

(Translation.)

Illustrious Sir,

IT being my duty to recognise this port as belonging to the Crown of Portugal, I am, according to my instructions, authorized to visit all vessels, Portuguese, English, or any other nation, anchored in the waters of ports belonging to the above-mentioned Crown, but in no manner to be wanting in the respect due to the commander of a vessel of war of a friendly Power.

I would have given you notice of my desire to board the English schooner at anchor here, but by your communication through my First Lieutenant, that you could not consent to such visit in the presence of a vessel of war of the same

nation, I wish you to be kind enough to communicate to me in writing with regard to this same question, so as to enable me to present it officially to the commandant of the Portuguese naval forces stationed on this coast.

God guard your worship.

On board the Portuguese schooner of war of Her Faithful Majesty "Conde do Tojal," under sail in front of Ambriz, November 4, 1853.

(Signed) JOZE PACHEUR INVREIRA,
Second Lieutenant Commanding.

Inclosure 3 in No. 368.

Lieutenant Pearse to the Commander of the "Conde do Tojal."

Sir, "*Atholl*," *off Ambriz, November* 10, 1853.

IN reply to your letter of the 14th instant, requesting me to communicate to you in writing my reason for having objected to your boat boarding the English schooner "Honesta," lying in the roads, I have the honour to inform you that, when Her Britannic Majesty's ship under my command is at anchor off Ambriz, I consider myself responsible for the character of any British merchant-vessel which may also be lying there; and upon the occasion in question, the English schooner referred to had both name and colours flying; and was known to me as a legal trader, the particulars of which I offered to give the officer whom you sent from my own boarding-book; and as no place can be recognized as a maritime port without the existence of some resident official authority, I put it to you with the utmost consideration whether, under such circumstances, the fact of your boarding a British vessel in the presence of a vessel of war of the same nation might not justly be considered as a slight to the British flag itself.

At the same time I beg, Sir, to assure you that, as my instructions enjoin the utmost courtesy to and cordial cooperation with the vessels of war of Her Most Faithful Majesty the Queen of Portugal engaged in suppressing the Traffic in Slaves, should you at any time, and under any circumstances, have reason to suspect a vessel bearing the British flag, I shall, at your written requisition, be most happy to accompany you in person to board such vessel, and render every assistance in ascertaining her true character.

I have, &c.
(Signed) W. A. R. PEARSE.

No. 369.

The Earl of Clarendon to Sir R. Pakenham.

Sir, *Foreign Office, February* 21, 1854.

WITH reference to your despatch of the 18th ultimo, stating that the Viscount Athoguia had informed you that instructions had been sent to Count Lavradio respecting the proposal of Her Majesty's Government to renew, for a period of five years, the Protocol of August 12, 1847, whereby Her Majesty's ships employed in the suppression of the Slave Trade were authorized to enter the bays, ports, creeks, &c., within the Portuguese territory on the eastern coast of Africa, where no Portuguese authorities are established; I now transmit to you a copy of the note which, on the receipt of that despatch, I addressed to Count Lavradio, together with a copy of the answer returned to it by that Minister; and I regret to find that Count Lavradio, so far from being charged to settle this matter with me, has simply received instructions to refuse the renewal of the Protocol.

You will inquire whether the Portuguese Government abides by the note of Count Lavradio, and intends to decline giving to Her Majesty's Government a power which is essential to the suppression of the Slave Trade on the African coast, and which, as most be well known to the Portuguese Government, is not and cannot be used for any other purpose.

As regards the statement of Count Lavradio, that the Portuguese Government can no longer sign such a Protocol without the previous consent of the

Cortes, you will be able to judge whether the permit in question is such a document as, in accordance with the Constitution, would require to be submitted to the Cortes. But if this be not the case, it would be an additional reason for pressing our request upon the Portuguese Government.

I am, &c.
(Signed) CLARENDON.

No. 370.

Sir R. Pakenham to the Earl of Clarendon.—(Received February 25.)

My Lord, *Lisbon, February 18, 1854.*

WITH reference to your Lordship's despatches of the 18th of August, the 7th of October, the 5th of November, the 12th of December, and the 14th of January last, pressing for the expulsion of the Brazilian slave-trader Francisco Antonio Flores from the province of Angola, and to my despatches on the same subject of the 8th and 28th of September, the 28th of October, and the 10th of November of last year, and of the 18th and 28th of January last, I have now the honour to lay before your Lordship a translation of a Portaria, or order in the King's name, to the Governor-General of Angola, directing him to oblige Flores to withdraw as soon as possible from that province to wherever he may think proper, provided it be not in any of the ultramarine possessions of Portugal.

This order has been communicated to me informally by the Viscount d'Athoguia, in order that I might inform your Lordship of it by the present packet.

I hope to be able to forward by the next packet an official communication to the same effect.

I have, &c.
(Signed) R. PAKENHAM.

Inclosure in No. 370.

Portaria.

(Translation.)

WHEREAS it has come to the knowledge of His Majesty the King, Regent in the name of the King, that the Brazilian merchant, Francisco Antonio Flores, who by a Portaria dated the 24th of December, 1845, was permitted to reside in the province of Angola, under the express condition that this favour should be without effect when once his conduct as a dealer in slaves should render him unworthy of it, has conducted himself in this respect so as to offer every indication of having been a participator in the nefarious Traffic which has been carried on in some parts of that province, as is shown not only from the several reports of the commander of the British naval station, and of the British Commissioners at Loanda to the Governors-General of that province and to the British Government, but also from the remonstrances addressed by the British Minister at this Court, by order of his Government, to His Majesty's Government with regard to the said Flores, it being also shown by the note and annexed documents, addressed by the said Minister under date of the 24th of December last, that from a correspondence found in the possession of a certain Don Jacinto Derizanz, captain of the "*Valoroso*" a slaver captured under the Sardinian flag, by Her Britannic Majesty's ship "Sharpshooter," on the coast of Brazil in 1851, it is proved that the said Flores had taken part in this nefarious affair; and whereas, it is necessary for the faithful observance of the Treaties entered into for the abolition of the above-mentioned Traffic, not only that transgressors of these Treaties, the proofs of whose criminality can be made the subject of an action, and receive sentence, should be punished as the law requires, but also that, with regard to those who excite strong suspicion, such preventive measures should be taken as reason and good faith dictate, in order that the vigilance of the authorities, who are bound faithfully to observe the Treaties, may not be eluded:

The same August Sire ordains, through the Marine and Colonial Department, that the Governor-General of the said province shall intimate to the above-mentioned Francisco Antonio Flores, that by this present Portaria, the one of the 24th of December, 1845, by virtue of which he was permitted to reside in the said province of Angola, is declared to be of no effect, and that he shall, with as little delay as possible, leave the province of Angola for any place that may suit him, with the exception of the Portuguese territory beyond the sea, and that the same Governor-General shall promptly report his compliance with this Royal determination.

Palace, February 14, 1854.

(Signed) VISCOUNT D'ATHOGUIA.

No. 371.

Sir R. Pakenham to the Earl of Clarendon.—(Received February 25.)

My Lord, *Lisbon, February* 18, 1854.

I HAVE the honour herewith to inclose for your Lordship's information a translation of a letter from the Portuguese Minister for the Marine and Colonial Departments to the Minister for Foreign Affairs (who, as your Lordship knows, are one and the same person), stating amongst other things that instructions have been sent to the Governor-General of Angola, to grant to the British Commissioners at Loanda, and to the commanders of Her Majesty's ships on that station, the facilities of communication with the Chief of the Colonial Government which have been long desired by Her Majesty's Government.

I hope to be able to forward the substance of this communication to your Lordship in an official form by the next packet. For the present it has been only informally communicated to me by the Viscount d'Athoguia in order to save time.

I have, &c.

(Signed) R. PAKENHAM.

Inclosure in No. 371.

Viscount d'Athoguia to the Portuguese Minister for Foreign Affairs.

(Translation.) *Marine and Colonial Department,*

Illustrious and Excellent Sir, *February* 14, 1854.

IN answer to your Excellency's despatches of the 4th and 31st of January last, and confidential despatch of the 31st of same month, which accompanied the notes from the British Minister at this Court, referred to in those despatches, I have the honour to transmit to your Excellency, for your information, and for the necessary purposes, the inclosed authentic copy of the Portaria, which, under this date, is addressed to the Governor-General of the province of Angola, that he may send out of the said province the Brazilian merchant Francisco Antonio Flores, at present residing there, and who forms the subject of the said notes. I have also to state to your Excellency, in reply to the subject of the second note, which was annexed to your Excellency's despatch of the 31st of January, in which that diplomatist, referring to previous despatches, sets forth the necessity that exists for allowing the free communication of the Commander of the British naval station, and the Commissioner of the Mixed Commission at Loanda, with the Governor-General of the province, upon subjects connected with Slave Trade, that the facility which he solicits is granted, to be made use of only upon the above-mentioned subject, and when the urgency of the case is such as to render it inconvenient to await a solution through the established course; and in this sense the above is communicated to the Governor-General of Angola for the necessary purposes.

God preserve, &c.

(Signed) VISCOUNT D'ATHOGUIA.

No. 372.

The Earl of Clarendon to Sir R. Pakenham.

Sir, *Foreign Office, February* 28, 1854.

I HAVE to refer you to Viscount Palmerston's despatch to Mr. Howard of the 16th of August, 1849, in which, with reference to a difference of opinion which had arisen between the British and Portuguese Commissioners at Loanda, as to whether the Mixed Commission Court would be borne out in opening certain sealed letters which had been found on board the Portuguese brig "*Galianna*," which had been captured by Her Majesty's ship "Cyclops," on suspicion of being engaged in Slave Trade, and had been taken to Loanda for adjudication, Viscount Palmerston stated the grounds upon which Her Majesty's Government were clearly of opinion that the letters in question ought to have been opened, and instructed Mr. Howard to move the Portuguese Government to give orders to the Portuguese Commissioners accordingly.

Mr. Howard executed that instruction in a note addressed to Count Tojal on the 25th of August, 1849; but it does not appear that the Portuguese Government answered Mr. Howard's representation.

This question as to the opening of sealed letters found on board a Portuguese vessel detained by a British cruizer, has been lately raised again at Loanda, as you will learn by the contents of the inclosed despatch* from Her Majesty's Commissioners; and I transmit herewith, for your information, a copy of an instruction† which I have addressed to the Commissioners upon this matter.

I am, &c.

(Signed) CLARENDON.

No. 373.

The Earl of Clarendon to Sir R. Pakenham.

Sir, *Foreign Office, March* 2, 1854.

I HAVE received your despatch of the 18th of February, inclosing a Portaria issued by the Portuguese Government, directing the expulsion from the province of Angola of the Brazilian slave-dealer Francisco Antonio Flores; and I have, in reply, to instruct you to convey to the Portuguese Government the acknowledgments of Her Majesty's Government for the issue of the above order in compliance with their request.

I am, &c.

(Signed) CLARENDON.

No. 374.

The Earl of Clarendon to Sir R. Pakenham.

Sir, *Foreign Office, March* 2, 1854.

I HAVE received your despatch of the 18th of February, reporting that the Portuguese Government had issued instructions to the Governor-General of Angola, directing his Excellency to receive official communications relating to Slave Trade, addressed to him by Her Majesty's Commissioners at Loanda, and by the Commanders of Her Majesty's ships on that station; and I have, in reply, to instruct you to express to the Portuguese Government the thanks of Her Majesty's Government for the issue of orders to that effect.

I am, &c.

(Signed) CLARENDON.

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* Class A, No. 78. † Class A, No. 87.

No. 375.

The Earl of Clarendon to Sir R. Pakenham.

Sir, *Foreign Office, March* 7, 1854.

WITH reference to your despatch of the 18th ultimo, reporting that the Portuguese Government had issued orders for the expulsion of the Brazilian slave-dealer Flores from Angola, I transmit to you a copy of a despatch* which I have received from Her Majesty's Commissioners at Loanda, reporting that slaves were collected in considerable numbers in the neighbourhood of Ambriz, ready for embarkation, and that the barracoons containing them belonged to Flores.

And I have to instruct you to communicate the inclosed despatch to the Portuguese Government, as an additional proof that Her Majesty's Government were fully borne out in requesting the Government of Portugal to expel this notorious slave-dealer from Angola.

I am, &c.
(Signed) CLARENDON.

No. 376.

The Earl of Clarendon to Sir R. Pakenham.

Sir, *Foreign Office, March* 7, 1854.

WITH reference to my despatch of the 26th of January, and to the previous correspondence respecting the permission granted to Senhor Almeida to transport a number of his negroes from Benguella to Prince's Island, I transmit to you herewith a copy of a report which Rear-Admiral Bruce, the Commander-in-chief of Her Majesty's squadron on the west coast of Africa station, has made to the Board of Admiralty upon Senhor Almeida's project.

You will observe that Admiral Bruce fully shares the apprehensions which Her Majesty's Government entertain as to the abuses which this scheme will give rise to, if carried out; and I have to instruct you to communicate to the Portuguese Government the substance of Admiral Bruce's remarks, in the hope that the Portuguese Government may reconsider its determination to sanction Senhor Almeida's project.

I am, &c.
(Signed) CLARENDON.

Inclosure in No. 376.

Rear-Admiral Bruce to the Secretary to the Admiralty.

Sir, "*Penelope*," *Monrovia, December* 29, 1853.

1. HAVING taken into consideration your despatch of the 19th ultimo, and its inclosures, relating to the Portuguese Government having licensed a proprietor at Benguella, named De Souza e Almeida, to convey negroes from that place to Prince's Island, under certain conditions, I have the honour to state that, in my opinion, the Earl of Clarendon's view of this matter is in every sense just and reasonable, when his Lordship remarks that it is scarcely possible that the commanders of British cruizers "should be enabled properly to execute the instructions with which they are provided, and at the same time be expected to distinguish the difference between such a conveyance by sea and an ordinary slave-trading operation."

2. But the measure in itself has, in my opinion, graver objections than that which is stated above; in the first place, it seems to me that the conveyance of negro slaves by sea, from one part to another of this coast, is a dangerous practice to admit, particularly in the case of such as are intended for those colonies whose slavery is sanctioned by law. In the instance under discussion the slaves would be subject to a sea voyage of upwards of 900 miles. The

* See Class A, No. 92.

transportation of free blacks is quite a different thing, for it can always be ascertained from them whether they are on board the ship with their own consent or not. Secondly, it is objectionable, because the time of service in what may be called "apprenticeship" can be extended to seven years, which is very far too long; for I doubt whether the average term of life of the adult slaves generally, working on the estates in Prince's Islands, exceeds that period. And, thirdly, it is objectionable, because we have too much reason to believe that the local Governments in those Portuguese colonies, such as Prince's, for instance, where there are no British residents, official or otherwise, would not be sufficiently careful to ascertain that the stipulated conditions of the importation of the negroes had been strictly and properly fulfilled.

I have, &c.
(Signed) H. W. BRUCE.

No. 377.

Sir R. Pakenham to the Earl of Clarendon.—(Received March 7.)

My Lord, *Lisbon, February* 28, 1854.

WITH reference to my despatches of the 18th of this month, by which I had the honour to inform your Lordship that the Portuguese Government had, in conformity with the wishes of Her Majesty's Government, sent orders to the Governor-General of Angola to oblige the Brazilian slave-trader Francisco Antonio Flores to withdraw from the Portuguese ultramarine possessions, and that instructions had likewise been sent to the same Governor-General to afford greater facilities than had hitherto been granted to Her Majesty's Commissioners and to the commanders of Her Majesty's ships for communicating with his Excellency on matters connected with the suppression of the Slave Trade; I have the honour to lay before your Lordship a translation of an official note from the Viscount d'Athoguia, inclosing a copy of the Portaria for the expulsion of Senhor Flores, and informing me of the instructions sent to the Governor-General on the subject of his communication with Her Majesty's Commissioners and the officers in command of Her Majesty's ships.

Your Lordship will perceive that on this latter point the privilege of communicating directly with the Governor-General is limited to matters connected with the Slave Trade, and to cases of emergency in which inconvenience might arise from the delay attending the usual forms of communication.

This condition is introduced merely for the purpose of upholding the Governor's dignity with relation to local etiquette, and will not, it may be hoped, occasion practical obstruction to the execution of the public service.

A translation of the Portaria, inclosed with the Viscount d'Athoguia's present note, were inclosed with my despatch of the 18th instant.

I have, &c.
(Signed) R. PAKENHAM.

P.S.—Lest any accident should befall the original order forwarded by the Portuguese Government for the expulsion of Flores, I beg leave to inclose herewith a duplicate of it, which the Viscount d'Athoguia has had the goodness to furnish to me, and which your Lordship may perhaps think it advisable to have forwarded by some safe opportunity to its destination.

Inclosure in No. 377.

Viscount d'Athoguia to Sir R. Pakenham.

(Translation) *Palace, February* 22, 1854.

IN answer to the note which you were pleased to address to me on the 24th December last, and to the two subsequent ones of 25th January last, in which you renewed the request which you had previously made by order of your Government, that the Brazilian subject, Francisco Antonio Flores, should be expelled from the province of Angola in consequence of his unceasing endeavours

to revive the Slave Trade there, and complained of the conduct of the authorities of Loanda on the occasion of the arrival of the American barque "*Republic*," suspected of being engaged in that odious Traffic in connection with the said Flores, I have the honour to transmit to you, for the information of your Government, the inclosed copy of the Portaria which on the 14th instant was issued through the Marine Department to the Governor-General of the province of Angola, to cause the above-mentioned Brazilian subject to withdraw from that province.

In this act Her Britannic Majesty's Government will without doubt recognize the lively interest and good faith with which His Majesty's Government seek to fulfil always the stipulations of the Treaty entered into between Portugal and Great Britain for the complete abolition of the Slave Trade.

With regard to the request contained in your other note, also of the 25th January, that the Commander of the British Naval Station and the British Commissioner of the Mixed Commission at Loanda might be allowed, upon subjects connected with the Slave Trade, to communicate freely with the said Governor-General, it is my duty to inform you that through the Marine Department were also issued the necessary orders granting the said facility, to be made use of only in the above cases, and in cases of emergency, when inconvenience would result from awaiting an answer through the established channels.

I renew, &c.

(Signed) VISCOUNT D'ATHOGUIA.

No. 378.

Sir R. Pakenham to the Earl of Clarendon.—(Received March 7.)

My Lord, *Lisbon, February 28, 1854.*

SINCE I had last the honour of writing to your Lordship, I have communicated with Senhor Maciel Monteiro, who lately presented his letters of credence as Brazilian Minister at this Court; and I am now enabled, in answer to the inquiry contained in your Lordship's despatch of 21st December last, to say that Senhor Monteiro is in possession of instructions to cooperate with this Mission in matters relating to the prevention of the Slave Trade.

I do not, however, understand that these instructions differ essentially from those forwarded to the Chevalier Drummond, a short time before he ceased to act as Brazilian Minister in this country.

Senhor Monteiro's language on the subject of the Slave Trade is extremely satisfactory, not only as relates to his own personal feelings, but also as to the fixed determination of his Government to do everything possible to effect its total suppression.

I have, &c.

(Signed) R. PAKENHAM.

No. 379.

The Earl of Clarendon to Sir R. Pakenham.

Sir, *Foreign Office, March 11, 1854.*

I HAVE received your despatch of the 28th ultimo, inclosing a translation of the note in which Viscount de Athoguia forwarded to you a copy of the Portaria ordering the expulsion of Flores from Angola, and in which his Excellency stated that the Governor-General of Angola had been directed to receive the communications of Her Majesty's Commissioners at Loanda, and of the commanders of Her Majesty's ships of war, on matters relating to the Slave

Trade; and I have to instruct you to convey to the Portuguese Minister for Foreign Affairs the acknowledgments of Her Majesty's Government for the course pursued by the Portuguese Government in regard to these two points.

I am, &c.

(Signed) CLARENDON.

No. 380.

Sir R. Pakenham to the Earl of Clarendon.—(Received March 16.)

My Lord, *Lisbon, March* 9, 1854.

I HAVE had the honour to receive your Lordship's despatches of the 20th, 21st, and 25th of February.

Respecting the refusal of the Portuguese Government to renew the Protocol of August 12, 1847, whereby Her Majesty's ships employed in the suppression of the Slave Trade were authorized to enter the bays, ports, and creeks within the Portuguese territory on the east coast of Africa, where no Portuguese authorities are established, I had a conversation yesterday with the Minister for Foreign Affairs.

He tells me that the instructions on which the Count de Lavradio acted in this affair, had been sent to him some time before he (the Viscount de Athoguia) received the application which I was instructed, by your Lordship's despatch of 5th December last, to make for a renewal of the Protocol; that these instructions were conditional, the renewal of the Protocol, or the refusal to renew it, being made to depend upon the result of certain representations which the Count de Lavradio had been directed to address to your Lordship, respecting occurrences on the coast of Africa in which the Portuguese Government thought they had reason to complain of the conduct of officers commanding British ships of war; that the public feeling in Portugal upon the subject of these proceedings was so strong that, supposing the desired measure of satisfaction not to be obtained, and the Government nevertheless to consent to a renewal of the Protocol, the transaction would certainly not receive the sanction of the Cortes, as required by the late addition to the Charter, thus at once rendering the agreement of no effect, and bringing down upon the Ministers a grave rebuke.

This is in a few words the substance of the explanation given to me by the Viscount de Athoguia respecting the refusal to renew the Protocol, communicated to your Lordship by Count Lavradio's note of February 15.

In reply to which I observed to his Excellency, in the first place, that a careful and dispassionate examination of the correspondence which passed between your Lordship and the Portuguese Minister in London in September, October, and November last, ought to convince His Most Faithful Majesty's Government that the charges which they had brought forward against officers of Her Majesty's Navy in the matters to which his Excellency had referred, were founded on erroneous information; and that such being the deliberate opinion of Her Majesty's Government after a mature examination of the question, it was not to be expected that Her Majesty's Government should alter that opinion in order to satisfy what I might, without offence to any one, call the over-sensitive disposition of the Portuguese Government, and perhaps also of the Portuguese people, in matters of this kind; or by any admission that wrong had been done or the bounds of duty had been exceeded in the transactions to which his Excellency had alluded; nor visit with censure the conduct of two British officers whose zeal, prudence, and moderation in the discharge of an arduous service had already received well-merited commendation.

I then went on to say, that, apart altogether from the above considerations, the Portuguese Government had, in my humble opinion, in refusing to renew the Protocol of August 1847, placed themselves in a position which they could not with decency or propriety long maintain; that Portugal was bound by engagements the most solemn and irrevocable to contribute by every means in her power to the suppression of the Slave Trade; that it was, unfortunately,

notorious that that trade was still carried on to a considerable extent in the Portuguese territories on the coast of Africa—eastern and western; that it was likewise unfortunately notorious that neither the Portuguese establishments in that part of the world, nor the present condition of the Portuguese navy, enabled the Government to fulfil with the vigilance and efficiency so much to be desired, the national obligations in respect to the prevention of the Slave Trade; and that notwithstanding this untoward state of things, when England was willing and ready to perform a duty which the Portuguese nation ought to perform itself, by occasionally visiting those remote parts of the Portuguese territory on the east coast, where no Portuguese authorities are established, the Government refuse to subscribe to an agreement conferring on England a power essential to the suppression of the Slave Trade, which, it is well known, cannot be exercised for any other purpose, and which Portugal, unhappily, has not the means of exercising herself.

His Excellency, I could not help adding, must be well aware from the frequent discussions which take place in Parliament, and from what passes at public meetings convened expressly to examine the existing state of things with reference to the Slave Trade, of the strong feelings of the English people on that subject, and of the universal determination, I might say, to see a stop put to that great scandal to humanity. Accordingly, that when, by the customary presentation of papers to Parliament, it should become known that this Government had thought proper to decline a renewal of the Protocol of 1847, by which refusal a power so necessary to the suppression of the Slave Trade was denied to Her Majesty's Government, and thus virtually to afford encouragement and protection to a trade which they were bound by every kind of obligation to put down, his Excellency must be prepared for a loud expression of displeasure on the part of the British public, and of sentiments very different from those which Her Majesty's Government would desire to promote between the two kingdoms. That in the ferment thus created, questions might be raised not a little embarrassing to His Most Faithful Majesty's Government, with regard to right and dominion over those parts of the east coast of Africa where, perhaps, no real occupation or act of positive sovereignty had ever, or at least within a long term of years, been exercised; and that I thought it would have been wiser on the part of this Government, to avoid the agitation of such a question, by acceding to a renewal of the Protocol, which concession, so far from offending in any way, as the Count de Lavradio describes it, those principles of public law "which regulate the inviolability of the territory of independent nations," carried on the face of it the fullest acknowledgment of the sovereign rights of Portugal over those parts of unoccupied territory which Her Majesty's Government submissively asked permission for the British cruizers to visit.

The Viscount d'Athoguia received all these observations in good part, and told me that he would send a summary of our conversation to the Count de Lavradio, to whom it would seem that more than usual powers have been committed for the management of this affair; and although I could not persuade his Excellency to say that he would reconsider the determination communicated by the Count de Lavradio's note of the 15th of February, I am yet inclined to hope that that determination need not be viewed as final and irrevocable.

I have, &c.

(Signed) R. PAKENHAM.

No. 381.

The Earl of Clarendon to Sir R. Pakenham.

Sir, *Foreign Office, March* 21, 1854.

I HAVE received your despatch of the 9th instant, reporting the language which you held to the Viscount d'Athoguia respecting the refusal of the Government of His Most Faithful Majesty to renew the Protocol of August 12, 1847, whereby Her Majesty's ships employed in the suppression of the Slave Trade were authorized to enter those bays, ports, and creeks within the

Portuguese territory on the east coast of Africa, where no Portuguese authorities are established.

And I have, in reply, to convey to you my entire approval of your language, which faithfully represents the views and opinions of Her Majesty's Government upon this matter.

Her Majesty's Government attach great importance to the renewal of the Protocol of August 12, 1847, because they believe it to be essential to the suppression of the Slave Trade, and they hope that, upon reconsideration, the Portuguese Government will see fit to grant to Her Majesty's cruizers the necessary authority for visiting the ports and creeks above referred to, before the time comes when it will be the duty of Her Majesty's Government to lay the correspondence respecting the Slave Trade before Parliament.

I am, &c.

(Signed) CLARENDON.

No. 382.

The Earl of Clarendon to Count Lavradio.

Foreign Office, March 22, 1854.

THE Undersigned, &c., has the honour to inform Count Lavradio, &c., that Her Majesty's Government have had under their consideration the note which Count Lavradio addressed to the Undersigned on the 20th of last January, protesting, in the name of Her Most Faithful Majesty's Government, against the proceedings of the authorities of Bombay in the case of the Portuguese subject, João Antonio de Sequeira, who was convicted on the 4th of October, 1853, by the Supreme Court of Bombay, of having imported slaves into that place, and was condemned to three years' imprisonment with hard labour.

Count Lavradio not only denies that Captain Sequeira was guilty of the crime with which he was charged, but he also protests against the trial and condemnation of this Portuguese subject by the Supreme Court at Bombay, as being contrary to the Anti-Slave Trade Treaty between Great Britain and Portugal of the 3rd of July, 1842; and he maintains that Sequeira's case should have been tried by one of the Courts of Mixed Commission constituted under that Treaty, as being the only Court to which Sequeira was legally amenable.

Count Lavradio therefore calls upon Her Majesty's Government to set Captain Sequeira at liberty, and he also demands compensation for Captain Sequeira, for the owners and charterers of the vessel "*Quatro d'Abril*," and for the passengers, on account of the losses which they respectively sustained by the detention of that vessel, in consequence of the alleged illegal proceedings of the Bombay authorities.

The Undersigned, having made careful inquiry into all the circumstances of this case, has now the honour to observe, in reply to Count Lavradio, that, with regard to the manner in which the judicial proceedings in this case were conducted, it appears that Captain Sequeira had a fair and public trial according to law; that he did not claim to have his privilege of being tried by a jury of whom one half should be foreigners: nor did he challenge any of the jury. He was defended by counsel of his own selection; and the presiding Judge made no attempt, in his charge to the jury, to influence their minds against the prisoner, but left the question of his innocence or guilt entirely to their decision.

And with regard to the objections made by Count Lavradio to the competency of the Supreme Court of Bombay to adjudicate in the case of Sequeira, on the ground that the provisions of the Act 5 George IV, c. 113, were set aside and overruled by the Treaty of July 1842, the Undersigned begs leave to observe that the object of the Treaty, which was signed long after the statute in question had been passed, and with full knowledge of its provisions, was not to overrule or to render inoperative the existing statutes against Slave Trade; but, on the contrary, as stated in the preamble of that Treaty, "to render more effectual the operation of the laws enacted in each country for the punishment of the crime."

The Statute 5 George IV, c. 113. applies to all offences committed by foreigners within British jurisdiction: and in all such cases occurring at Bombay, the Supreme Court of that place has clear and undoubted jurisdiction.

The operation of the Treaty of July 3, 1842, on the other hand, is confined to offences committed upon the high seas, for the prevention of which certain measures of maritime police are adopted, which are chiefly directed to the liberation of slaves, and to the forfeiture of slave-ships captured upon the high seas by the cruizers of either nation.

But the offence of which Captain Sequeira was convicted was clearly not committed upon the high seas, and therefore could not be brought within the intention of the Treaty; and moreover, the Undersigned begs leave to point out that if it were possible to sustain the interpretation of the Treaty which has been put forward by Count Lavradio, Portuguese subjects would in fact be enabled to carry on the Slave Trade with impunity in British territory, wherever, as at Bombay, there are no Mixed Commission Courts established—a result which would be obviously contrary to the objects of the Treaty, and to the determination of both Governments to extinguish this nefarious Traffic.

Both, therefore, as regards the guilt of Captain Sequeira, and also as regards the competency of the Supreme Court of Bombay to adjudicate in his case, the Undersigned, after a careful examination of the circumstances, and of the arguments contained in Count Lavradio's note, is unable to admit the validity of the claims which he has brought forward.

The Undersigned begs leave to add, that the above observations and arguments with regard to the competency of the Court of Bombay, apply equally to the case of Captain Antonio Maria da Costa, whose detention at Bombay forms the subject of Count Lavradio's note of the 31st of January last. It appears that Captain da Costa's trial is not yet concluded; but as there is no ground for calling in question the competency of the Supreme Court of Bombay to try him, Her Majesty's Government cannot interfere to stay the proceedings against him.

Her Majesty's Government have learnt with regret that there is ground for believing that these are not the only instances of the clandestine importation of slaves into Bombay by Portuguese vessels, but that slaves have been conveyed in considerable numbers from Mozambique to Bombay, either accompanying their masters as domestic servants, or on their way to Goa or Damaun—a circumstance which fully accounts for the vigilance and activity shown by the authorities of Bombay in bringing Sequeira and Da Costa to trial; and Her Majesty's Government cannot but entirely approve of the steps which have been taken by them to repress such criminal proceedings with the utmost severity of the law.

As, however, Captain Sequeira is the first of these offenders who has been brought to trial, and as it appears that there were extenuating circumstances in his case, the Undersigned is glad to be able to inform Count Lavradio that the Queen has been graciously pleased, upon the recommendation of Her Majesty's Secretary of State for the Home Department, to grant to Captain Sequeira a free pardon.

I am, &c.
(Signed) CLARENDON.

No. 383.

Sir R. Pakenham to the Earl of Clarendon.—(Received March 24.)

(Extract.) *Lisbon, March 18, 1854.*

I HAD the honour on the 11th instant to receive your Lordship's despatches of 28th February and 2nd March.

I have fulfilled the instructions contained in the two last-mentioned des-

patches by conveying to the Portuguese Government the thanks of Her Majesty's Government for the orders lately issued on the matters therein referred to, namely, the expulsion of the Brazilian slave-trader, Francisco Antonio Flores, from the province of Angola, and the establishment of a more free system of communication on subjects connected with the Slave Trade between Her Majesty's Commissioners at Loanda and the commanders of Her Majesty's ships on that station, and the Governor-General of Angola.

No. 384.

Sir R. Pakenham to the Earl of Clarendon.—(*Received March* 24.)

My Lord, *Lisbon, March* 18, 1854.

I HAD the honour, on the 15th instant, to receive by the packet going to Brazil your Lordship's despatches of the 8th instant; I have the honour herewith to submit a copy of a note which I addressed to the Portuguese Minister for Foreign Affairs, in fulfilment of the instructions contained in your Lordship's second despatch of the 8th instant, setting forth the reasons which, in the opinion of Her Majesty's Government, render it not desirable that the permission lately granted to a certain Senhor de Souza y Almeida to remove 100 of his negroes from the mainland of Africa to Prince's Island, subject to the condition of previous manumission, should be carried into effect, and recommending, for these reasons, that the privilege so granted to Senhor de Souza y Almeida should be revoked.

I had a conversation yesterday upon this subject with the Minister for Foreign Affairs. He said that he was sorry to learn that Her Majesty's Government had found anything to object to in the permission granted to Senhor de Almeida, because the object contemplated by the Portuguese Government in granting to that gentleman the various privileges conferred upon him by the Decree of 25th October last, the grant of land, the right to cut timber, the permission to convey to Prince's Island from the mainland a certain number of emancipated negroes, was to establish, if possible, a system of free labour in the Portuguese islands, to be afterwards, if found successful, extended to their continental settlements in Africa; for which reason, he added, that before he was made aware of the objections to the scheme entertained by Her Majesty's Government, he had felt disappointment at hearing from Angola that it was not Senhor de Almeida's intention to take advantage of the privileges granted to him by the Decree of 25th October last; so that supposing this report to be correct, the whole project seems destined to die a natural death.

I have, &c.

(Signed) R. PAKENHAM.

Inclosure in No. 384.

Sir R. Pakenham to Viscount d'Athoguia.

Sir, *Lisbon, March* 15, 1854.

THE attention of Her Majesty's Government was in due time directed to the Decree issued by Her Most Faithful Majesty's Government on 25th October last, by which, amongst other things, permission was granted to Senhor de Souza e Almeida to remove 100 of the slaves already belonging to him, in the province of Angola, to Prince's Island, subject to the condition that they were first to be made free, and their freedom to be permanently secured to them.

Her Majesty's Government having examined the provisions of this Decree in order to see how far they might be reconcileable with the engagements subsisting between the two countries for the suppression of the Slave Trade, came to the conclusion that, in principle, objection could not be taken to the measure as involving a violation of the Treaty of July 1842, seeing that the Portuguese Government had ordained that the negroes in question should be legally emancipated before embarkation, and that due care should be taken to secure their freedom and proper treatment after their arrival at Prince's Island.

This is the opinion formed by Her Majesty's Government, after examining the measure in question in a legal point of view, according to the literal provisions of the Treaty between the two countries; but, in a practical point of view, Her Majesty's Government are advised that grave objections apply to the execution of the Decree of 25th October, on account of the facilities which it would afford for covering and concealing Slave Trade operations.

It has been represented to Her Majesty's Government, by an officer of long experience on the coast of Africa, that it would be almost impossible "that the commanders of British cruizers should be enabled properly to execute the instructions with which they are provided, and at the same time be expected to distinguish between such a conveyance (of negroes) by sea and an ordinary slave-trading operation.

"That the conveyance of negro slaves by sea from one part to another of the coast of Africa is a dangerous practice to admit, particularly in the case of such as are intended for those colonies where slavery is sanctioned by law."

In the case under consideration, "the negroes would be subject to a sea voyage of upwards of 900 miles."

It is further objected to this measure, that "the time of service, in what may be called apprenticeship, can be extended to seven years, which is very far too long; for I doubt (says the officer who is speaking) whether the average term of life of the adult slaves generally working on the estates in Prince's Island exceeds that period."

Finally, it is remarked, that there is too much reason to believe that the local Governments in remote colonies, such as Prince's Island, are not sufficiently under the control of the Government at home, to insure due care on their part that the conditions upon which the privilege is granted, are faithfully carried into effect.

Her Majesty's Government, considering the apprehensions thus expressed, as to the abuses to which the permission granted to Senhor de Souza e Almeida are likely to give rise, to be well founded, have instructed me to communicate the foregoing observations to your Excellency, in the hope that Her Most Faithful Majesty's Government may be disposed to reconsider that part of the Decree of 25th October, which grants permission to Senhor Souza e Almeida to transport 100 negroes from the mainland of Africa.

I take, &c.

(Signed) R. PAKENHAM.

No. 385.

Count Lavradio to the Earl of Clarendon.—(*Received March* 27.)

(Translation.) *March* 25, 1854.

THE Undersigned, Envoy Extraordinary and Minister Plenipotentiary of His Most Faithful Majesty, has had the honour to receive the note which his Excellency the Earl of Clarendon, &c., addressed to him on the 22nd instant, in reply to those which the Undersigned had the honour to address to his Excellency on the 20th and 31st days of January last.

His Excellency the Earl of Clarendon maintains that Captain Sequeira is guilty, notwithstanding his having presented documents proving that the five negro youths whom he had brought on board the ship "*Quatro d'Abril*" were

freed; his Excellency also maintains that it is not the provisions of the Treaty of the 3rd July, 1842, which apply to the act which gave rise to the accusation against Captain Sequeira, but those of the Act 5 of George IV, c. 113; his Excellency lastly maintains that the Supreme Court of Bombay proceeded regularly, notwithstanding its being proved that Captain Sequeira, though a foreigner, was not allowed a mixed jury, and that also he was not permitted to have the necessary time to bring forward one or more convincing documents to strengthen the proof of his innocence of the infamous crime of which he was accused.

From all this his Excellency concludes that the reclamations made by the Undersigned relative to Captain Sequeira, and the owners, charterers, and passengers of the ship "*Quatro d'Abril*" are inadmissible.

The Undersigned is not without good arguments to reply to his Excellency the Earl of Clarendon, and to prove to him that his demands are founded on the provisions of the laws of England, and on those of the Treaties subsisting between the Crowns of Portugal and Great Britain, but he is of opinion that his reply is better delayed until he shall receive new instructions from his Government, which he is about to ask for.

Although the Undersigned regrets to see his demands rejected, which demands he considers to be well-founded and just, he has nevertheless received, with due gratification, the communication which his Excellency the Earl of Clarendon had the kindness to make to him, to the effect that Her Majesty the Queen of Great Britain and Ireland, in the exercise of her Royal prerogative, and upon the recommendation of her Secretary of State in the Home Department, has been graciously pleased to grant a full pardon to Captain Sequeira; that unfortunate Portuguese subject being at least relieved from the penal sentence passed upon him, if not indemnified for the losses he has sustained. The Undersigned is persuaded that this step, due to the magnanimity of the august Sovereign and the wise counsels of her illustrious Ministers, will be justly appreciated by the Government of His Most Faithful Majesty.

His Excellency observes, in his note above alluded to, that Her Britannic Majesty's Government has reason to believe that slaves have been clandestinely conveyed to Bombay, Goa, and Damaun in Portuguese ships coming from Mozambique. The Undersigned is wholly ignorant of the existence of such facts, but aware of the severity of the English laws against persons engaged in the Slave Trade, and of the laws of Portugal, by virtue of which slaves brought from any quarter to the States of Portuguese India are liberated, he cannot conceive the existence of the alleged facts; but, notwithstanding, he is assured that his Government will proceed to a rigorous inquiry relative to the accusation brought forward by his Excellency the Earl of Clarendon, although very vague, and the guilty parties, if there be any, shall be punished with the utmost severity of the laws.

The Undersigned, &c. (Signed) LAVRADIO.

No. 386.

The Earl of Clarendon to Sir R. Pakenham.

Sir, *Foreign Office, March* 31, 1854.

I TRANSMIT to you herewith copies of a despatch* and of its inclosures from Mr. Howard, &c., containing information which Mr. Howard has received from the Brazilian Government, and from other sources, respecting the schemes of the slave-traders at Loanda. You will also learn from these papers that the Brazilian Government has determined to urge upon the Brazilian Chamber of Deputies the adoption of a project of law, of which I transmit to you herewith a copy,† which was approved by the Brazilian Senate during its last session, and by Article I of which the powers of the Auditors of Marine in cases of slave-

* See No. 161. † See Inclosure in No. 124.

dealing are extended, while Article II declares that Brazilian subjects, wherever they may reside, and foreigners resident in Brazil, who may be owners, masters, mates, boatswains, or be interested in the business of, any vessel engaged in the Slave Trade, are to be punished in the same manner and to the same extent as persons found guilty of attempting to import slaves.

I have to instruct you to communicate to the Portuguese Government the information contained in the inclosed paper respecting the schemes of the slave-traders at Loanda; and you will point out how desirable it would be, in order effectually to prevent the Slave Trade from being carried on in the Portuguese dominions and by Portuguese subjects, that a law should be passed in Portugal similar to the inclosed project of law, so far as it can be made applicable to the dominions of His Most Faithful Majesty.

You will also state that Her Majesty's Government confidently hope that measures will be taken for the prevention of the criminal projects disclosed in these papers, either by expelling the guilty parties from Angola, or by punishing them in some more stringent and exemplary manner than heretofore.

I am, &c.

(Signed) CLARENDON.

PORTUGAL. *(Consular)—Azores.*

No. 387.

Consul Hunt to the Earl of Clarendon.—(Received July 25.)

My Lord, *St. Michael's, June* 10, 1853.

WITH reference to the instructions given to me in the Earl of Malmesbury's despatch of the 19th of May, 1852, I beg leave to report to your Lordship that two young men, formerly master and mate in the Slave Trade, who came here in August last, have left this place for the Brazils by way of Lisbon.

They had ordered a vessel to call here, with a view to open a connection with this island; but no one being disposed to entertain their proposals, the vessel did not come here.

I think it my duty to state that the vessels employed to convey emigrants from these dominions to the Brazils, necessarily carry much of the equipment required for slaves. It will therefore occur to your Lordship that they might be easily turned into the Slave Trade, and might then, in certain directions and distances from the Brazilian coast, be declared to be returning for emigrants.

I believe that, as regards vessels sailing from the Azores, such a cover for the Slave Trade would be confined to the Brazilian flag; because the Portuguese vessels bring back cargoes of colonial produce for these islands. But it will be always easy to learn, at Rio de Janeiro and Pernambuco, what becomes of the emigrant vessels after they have landed their passengers.

I have, &c.

(Signed) THOMAS CAREW HUNT.

No. 388.

Consul Hunt to the Earl of Clarendon.—(Received November 3.)

My Lord, *St. Michael's, September* 28, 1853.

I HAVE the honour to transmit to your Lordship the copy of a letter and report received by me from Mr. Read, the British Vice-Consul at Terceira, relative to a suspicious vessel, now called "*Laura,*" which had arrived at his port on the 8th instant, and cleared out for Madeira on the 17th; the translation of a letter written to Mr. Read by the Civil Governor on the 18th; the copy of my reply to Mr. Read; and the copy of a letter in which I have communicated Mr. Read's report to Her Majesty's Consul at Madeira.

Mr. Read forwarded a similar report to Her Majesty's Minister at Lisbon on the 18th instant.

The "*Laura*" is a brigantine of 154 Portuguese tons (about 120 English), carrying a crew of eighteen Portuguese seamen, and a Spanish flag-master, and took on board at Terceira the large supply of stores and water, stated in the list subjoined to Mr. Read's letter, for the ostensible purpose of conveying emigrants to Brazil.

Among those stores are thirty barrels of manioc, an article never used in emigrant vessels; the ship is reported to belong to a person named Antonio

Severino de Avellar, the name of the Slave Trade agent mentioned in the despatch written to me by the Earl of Malmesbury on the 19th of May, 1852; and her Portuguese master and Terceira consignee, the owners' near relatives, are well known in the Slave Trade.

The "*Laura*" is said to have touched at Fayal, under the name of "*Rosa*," at the end of July or beginning of August, on her way from Angola to Lisbon.

Her ownership, disproportionate crew, water and stores, and her supply of manioc, induced Mr. Read to consider her as intended for the Slave Trade, and to call on the Civil Governor to prevent her being supplied for that trade at Terceira, showing him a letter written by me, of which I inclose a copy. The Civil Governor (who, I must add, is a most active and intelligent functionary, and at all times disposed to assist Mr. Read) received the communication in such a manner as to lead Mr. Read to hope that his application would be successful; but afterwards accepted the Captain of the Port's assertion of the ship's lawful character, and allowed her to sail, on giving security for an object foreign to that application.

Mr. Read, in a private letter dated the 18th instant, expresses his surprise at this result; as "he had not heard of any survey," and "the Captain of the Port going on board alone, a few hours before the vessel got under weigh, did not lead any one to imagine that he was going on a survey."

As it may be presumed that the survey and security taken were suggested by Article VII of the Decree of December 10, 1836 (translated in the fifth volume, p. 417, of Hertslet's Treaties), it is to be regretted that the search should not have been made by the Civil Governor and chief Custom-house functionary, according to the terms of that Article.

And I would submit to your Lordship that if this duty were enjoined by a fresh order of the Government of Lisbon, addressed to all the Civil Governors of the Azores, any other vessels of the "*Laura's*" character might be prevented from supplying themselves in these ports.

In my reply to Mr. Read, I have ventured to state my belief that his activity and zeal on this occasion would receive your Lordship's approbation. I should feel great satisfaction if your Lordship would authorize me to confirm this assurance; and the more so, that there is reason to fear that Mr. Read's representation to the Civil Governor was outweighed by testimony less to be depended on.

I have thought it my duty to send a copy of this despatch to Her Majesty's Minister at Lisbon, as some accident may prevent the safe transmission of Mr. Read's report to him.

I have, &c.
(Signed) THOMAS CAREW HUNT.

Inclosure 1 in No. 388.

Vice-Consul Read to Consul Hunt.

Sir, *Terceira, September* 15, 1853.

IN compliance with the information and request contained in your letter of August 4, 1852, I beg to forward the inclosed report, agreeable to the form annexed to my general instructions.

So soon as my suspicions were aroused as to the vessel named in the report, I waited on the Civil Governor of this district, and pointed out forcibly to his Excellency the information contained in that letter, as well as facts that were occurring here, such as the large quantity of water said vessel had taken on board, the report of her being destined for Rio de Janeiro *viâ* Madeira, and, as it was said, without taking colonists from this island. His Excellency did not appear to be aware of these circumstances, and seemed pleased with my communication, stating that he could not proceed at once against the vessel, having no positive proofs of her being engaged in the Slave Trade, but would adopt measures accordingly.

His Excellency further told me that the owner (Avellar) had said to him a few days previous to my interview that he had abandoned the idea of conveying colonists from this island to Rio, through the restrictions of the Portuguese

Government, and the bad sanitary state of Brazil, on which I represented to his Excellency that he had a good point to work upon, and might be turned to either of two purposes; it would defeat the object of the vessel proceeding from hence on a slave-trading voyage, if such was entertained, as well as prevent the embarkation of passengers clandestinely from this or any of the other islands; by issuing orders to start the fresh water, and refill the casks with salt water, so as to ballast the ship, leaving a sufficiency of fresh water for the use of the crew, until the vessel's arrival at Madeira, in which his Excellency concurred.

I further beg to state that sixty barrels of farinha de pão (manioc) were landed at Fayal by the Brazilian ship "*Sophia*" from Rio de Janeiro lately, reshipped to this island, and of which portion thirty barrels have been taken from the Custom-house on board of the "*Laura.*" It must be borne in mind that it is not customary to supply flour of that nature on voyages from these islands to Brazil, but *vice versâ*. And this, coupled with the large quantity of water taken on board, has caused a suspicion to arise in my mind that the voyage to Rio de Janeiro *viâ* Madeira, as given out by the owners, is not the real one contemplated by them.

I have, &c.
(Signed) JOHN READ.

Inclosure 2 in No. 388.

List of Provisions per "Laura."

11 barrels with 70 arrobas (19 cwt.) salt beef.
2 ,, 12 ,, (3 cwt.) pork.
30 ,, 60 ,, (16 cwt.) biscuit.
30 barrels farinha de pão (manioc).
3 moyos (72 bushels) kidney beans.
60 alqueres (24 bushels) Indian corn.
60 alqueres (24 bushels) broad beans.
10 arrobas (3 cwt.) rice.
½ pipe of vinegar.
90 canadas (45 gallons) brandy.
30 ,, (15 gallons) sweet oil.
50 arrobas of fish (16 cwt.).
11 thousands (about 40 tons) firewood.
90 pipes of water; some very large.
½ moyo (12 bushels) salt.

And a large copper, which is still in the case it came from Fayal in. I suspect it must have been landed at Fayal in the end of July or beginning of August, as she touched there from Angola, on her way to Lisbon, under the name of "*Rosa.*"

Inclosure 3 in No. 388.

Report of a Vessel arrived at the Island of Terceira, supposed to be engaged in the Slave Trade.

ON the 8th day of September, 1853, arrived in the bay of Angra, Island of Terceira, from Lisbon, a Portuguese vessel called the "*Laura*" (formerly "*Rosa*"), commanded by a Portuguese subject named Sylverio Severino de Avellar.

The vessel is stated to belong to Antonio Severino de Avellar, at present resident here; is of about 154 tons, Portuguese measurement, and has on board a crew of nineteen men, composed of Portuguese subjects.

No guns are visible, and it is said she is bound from this to Rio de Janeiro, *viâ* Madeira.

The consignee at this place is named João Severino d'Avellar, a relation of

the owner. A Spaniard named Rubustianno José Caza Nova is said to be the caixa or purser, and I hear that they style him "capitão bandeira," which leads to conjecture that the Spanish flag may be used if convenience suits.

Her ostensible object here was reported at first to convey colonists to Rio de Janeiro, but which idea was abandoned, through the restrictions of the Portuguese Government on that head, and the bad sanitary state of Brazil, as stated by the owner to the Civil Governor of this district. She has taken on board ninety casks of water, some very large ones, and thirty barrels of farinha de pão, an article not commonly used by vessels taking passengers from these islands to Brazil. It can be said then, if the fever now prevalent in Brazil is detrimental to the natives of these islands, it may be equally so to those of Madeira, which causes a suspicion to arise that the voyage to Rio *viâ* Madeira is not the real one in contemplation.

Her hull outside is all black, with no streak: she is rigged as a brig-schooner with a main-topsail and topgallant sail; carries a fore-royal, no main-royal; the heads of fore-royal mast and main-topgallant mast have a gilt ball on each, with no vane on either; her masts have a slight rake aft; her bowsprit has very little steave: she has a topgallant forecastle, in which the crew apparently live; she has a small fiddle head, a very sharp overhanging bow, with a great run aft; a wreath of roses across the stern; edges of stern hawse pipes, gilt; the wheel is about six feet abaft the mainmast; four large hencoops on the quarter deck; four large eyebolts about three feet below the covering-board, three scupper holes of a side.

Rigging most particular; short bowsprit; single forestay; single fore top-mast stay; double mainstays, both set up on the port side, one with tackles, the other with dead eyes; maintopmast stay sets up in the foretopmast cross-trees.

British Vice-Consulate, Terceira, September 15, 1853.

(Signed) JOHN READ,
Vice-Consul.

Inclosure 4 in No. 388.

The Civil Governor of Terceira to Vice-Consul Read.

(Translation.)

Sir, *September* 18, 1854.

AS the result of the survey which I caused to be held on board the Portuguese brigantine "*Laura*," it appears from the information given by the captain of the port of this city, and by the list of articles found in the ship, that there is no ground for considering those articles as indications that the said brig is intended for trading in slaves on the coast of Africa; but solely as stores for the conveyance of emigrants from these islands to the Empire of Brazil, the declared destination of the vessel.

Under these circumstances and to prevent the illegal shipment of passengers, I ordered that the master, Silverio Severino de Avellar, should give bond, which he gave yesterday at the Administração de Conselho, by which he binds himself to present to me a certificate by the proper authorities of the district of Funchal, to show that the ship had really gone to the port of Madeira; and I this day give Her Majesty's Government an account of all that has occurred relative to the ship, for any requisite purposes.

Nothing further occurs to me to be communicated to you on this head.

I am, &c.

(Signed) NICOLAU ANASTACIO DE BETTENCOURT.

Inclosure 5 in No. 388.

Consul Hunt to Vice-Consul Read.

Sir, *St. Michael's, September* 28, 1853.

I HAVE received this morning your letters relative to the Portuguese brigantine "*Laura*," suspected by you to be engaged in the Slave Trade; and I shall this evening forward copies of your report and the Civil Governor's letter to you, to the Earl of Clarendon.

The Civil Governor, in allowing the "*Laura*" to sail, on the testimony of the captain of the port as to her lawful character, seems to have retained his original belief that the vessel had really come to Terceira for emigrants, and that this plan had been suddenly given up for the reasons stated by her owner, after the shipment of her excessive quantity of stores.

But the notorious recent departure of the Brazilian brig "*Amizade*" from this island, with emigrants shipped by the "*Laura's*" consignee, was obviously inconsistent with these reasons; and this inconsistency afforded an additional ground of suspicion as to the "*Laura's*" character.

It therefore appears to me a subject of deep regret that the former reputed occupation of the persons connected with the "*Laura*," her disproportionate crew, the supply of manioc (an article never used by emigrants from the Azores), and your communication to his Excellency, did not induce the Civil Governor to search the vessel according to the VIIth Article of the Decree of December 10, 1836.

I have, under these circumstances, thought it right to submit to the Earl of Clarendon that a fresh order by the Government of Lisbon, for the observance of that Article, might prevent other vessels of the "*Laura's*" supposed character from supplying themselves in the Azores.

I have to thank you for the zeal and activity with which you have assisted me on the present occasion. I shall not fail to mention this assistance to the Earl of Clarendon, in the belief that it will receive his Lordship's approbation.

I am, &c.
(Signed) THOMAS CAREW HUNT.

Inclosure 6 in No. 388.

Consul Hunt to Consul Stoddart.

Sir, *St. Michael's, September* 28, 1853.

I THINK it my duty to transmit to you the inclosed copy of a report forwarded to me by Mr. Read, the British Vice-Consul at Terceira, relative to a suspicious vessel, now called "*Laura*," but formerly "*Rosa*," which cleared out for Madeira on the 17th instant from that port, in order that you may, if you think it expedient, give the information so afforded to the Commanders of any of Her Majesty's ships of war touching at your port.

I should mention, if you are not already aware of it, that Her Majesty's Government received information, early in 1852, that a person named Antonio Severino de Avellar had been appointed agent for slave-trading vessels in these islands by dealers connected with the Havana.

It is probable that this agent and the reported owner of the "*Laura*" are the same person.

I have, &c.
(Signed) THOMAS CAREW HUNT.

Inclosure 7 in No. 388.

Consul Hunt to Vice-Consul Read.

Sir, *St. Michael's, August* 4, 1852.

I HAVE received information from Her Majesty's Secretary of State for Foreign Affairs that the Brazilian slave-dealers have made arrangements for trading to the Havana, including agencies in Portugal and the islands for purposes connected with this Traffic ; and that they have appointed a person named Antonio Severino d'Avellar, agent in the Azores.

I forward this information to you, in order that you may be prepared to assist me in complying with his Lordship's instructions to endeavour to counteract any plans formed by the slave-dealers in this district.

I am, &c.

(Signed) THOMAS CAREW HUNT.

No. 389.

The Earl of Clarendon to Consul Hunt.

Sir, *Foreign Office, November* 8, 1853.

I HAVE received your despatch of the 28th of September and its inclosures, respecting the case of the Portuguese vessel "*Laura*," which had sailed from the Island of Terceira, under the suspicious circumstances reported to you by Vice-Consul Read, and I have to instruct you to convey to Mr. Read my approval of the activity he displayed in communicating to you and to the Portuguese authorities the suspicions he entertained that the "*Laura*" was really intended for the Slave Trade.

With reference to what you state as to the imperfect manner in which the survey of the "*Laura*" was conducted at Terceira, I have to inform you that it is my intention to instruct Her Majesty's Minister at Lisbon to request that fresh orders may be issued to the different Civil Governors of the Azores, desiring that all such surveys may be made in strict conformity with the VIIth Article of the Portuguese Decree of December 10, 1836.

I am, &c.

(Signed) CLARENDON.

No. 390.

Consul Hunt to the Earl of Clarendon.—(Received December 27.)

My Lord, *St. Michael's, December* 5, 1853.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 8th ultimo, in reply to mine of the 28th of September, instructing me to convey to Mr. Read your Lordship's approval of the activity he displayed with reference to the Portuguese brig "*Laura.*"

I have lost no time in making this communication to Mr. Read, to whom it will afford great satisfaction.

I have, &c.

(Signed) THOMAS CAREW HUNT.

No. 391.

Consul Hunt to the Earl of Clarendon.—(*Received January* 24.)

My Lord, *St. Michael's, January* 2, 1854.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 26th of November last, inclosing a list of persons said to be agents of a Brazilian Portuguese Slave-Trading Company.

I shall lose no time in forwarding copies of this list to the British Vice-Consuls at Fayal and Terceira, in both of which islands the Antonio Severino de Avellar mentioned in it occasionally resides.

I have, &c.

(Signed) THOMAS CAREW HUNT.

PORTUGAL. (*Consular*)—*Cape Verds.*

No. 392.

Consul Rendall to Lord John Russell.—(*Received April* 18.)

My Lord, *St. Vincent, Cape Verds, March* 21, 1853.

I HAVE the honour to inclose copy of a letter which I this day forwarded to the Admiral upon the West Coast of Africa station.

I have, &c.
(Signé) JNO. RENDALL.

Inclosure in No. 392.

Consul Rendall to Rear-Admiral Bruce.

Sir, *St. Vincent, Cape Verds, March* 21, 1853.

I AM happy to be able to report a continued cessation of any Slave Trade in these islands.

The American Commodore Lavalette has, however, since January last, detained two vessels, under American colours, that came to an anchor at Port Praia, St. Jago, which he has sent to the United States. The Commodore was much opposed in his operations by the authorities of St. Jago.

I have, &c.
(Signed) JNO. RENDALL.

No. 393.

Consul Rendall to the Earl of Clarendon.—(*Received September* 24.)

My Lord, *Lisbon, September* 16, 1853.

I HAVE the honour to state to your Lordship, that it has been reported to me by the Vice-Consul of the Cape de Verd Islands, of a large barque under Spanish colours, heavily armed, and reported to have come from Havana, having put into the port of Porto do Sal, St. Antonio, for water and refreshments.

The Vice-Consul only learnt this intelligence a few hours before the starting of the packet by which he wrote from St. Vincent, 31st August; but he states, that he was about taking steps to inform himself correctly of everything relating to the vessel in question, and that he would by the first opportunity inform the Admiral upon the African station with the result of his inquiries, and also send to me the particulars of the steps taken, that I may report for the information of your Lordship.

I have, &c.
(Signed) JNO. RENDALL.

No. 394.

Consul Rendall to the Earl of Clarendon.—(*Received March* 17.)

My Lord, *St. Vincent, January* 31, 1854.

IN reference to my letter to your Lordship dated 16th September last, reporting a suspicious vessel having put into one of the ports of St. Antonio, I have the honour to state that the Vice-Consul ascertained that she came from the Havana, where she had landed 300 free persons from Macao, in China, and that she was returning to that place, having contracted to carry another cargo of people from the same port, and to the same destination.

The Vice-Consul reported every particular to the Admiral upon the African station, respecting the vessel in question, which was under the Portuguese flag.

I have, &c.
(Signed) JNO. RENDALL.

PORTUGAL. *(Consular)—Loanda.*

No. 395.

Vice-Consul Brand to the Earl of Malmesbury.—(*Received September* 16.)

My Lord, *Loanda, January* 14, 1853.

AFTER the proceedings at Ambriz, referred to in my despatch of 23rd September last, Commander Wilmot proceeded to visit the Chiefs of Cabinda and Loango, with the view of making proposals to them for the abolition of the Slave Traffic within their territories, and he then made arrangements with them for returning to receive their answers to these proposals.

The "Harlequin" has just left this port for that purpose; and I regretted much that I was unable to comply with Commander Wilmot's request to accompany him a second time, the state of my health, as well as other circumstances, rendering it utterly impossible for me to do so.

As the Portuguese language, however, is spoken pretty generally at the different places Commander Wilmot intended to visit, I thought it might facilitate his intercourse with the native Chiefs, were he possessed of a copy of the Treaty he was to endeavour to get them to sign in that language, and I accordingly furnished him with a translation in Portuguese of the printed form of Treaty with which he was provided, as also with the translation of a letter he had drawn up, to be addressed to the native Chiefs, containing the principal arguments against the Slave Trade, to be used in dealing with them.

I ought here to mention, that the authorities of this place look with much jealousy on these proceedings, arising, I presume, from the claim made by Portugal to the sovereignty of the line of coast lying between 5° 12′ and 8° south latitude; and they may not improbably make some representation to Lisbon on the subject.

Soon after Commander Wilmot had been at Ambriz in September last, the commandant of the naval station sailed hence in the brig of war "Serra do Pilar" to that place, and he subsequently proceeded to Cabinda.

What the commandant did at these places on that occasion, I have not heard; but I think it possible that Commander Wilmot may find that he has to contend with other influences besides those of the slave-dealers on his return to Cabinda.

I have, &c.
(Signed) G. BRAND.

No. 396.

Vice-Consul Brand to the Earl of Malmesbury.—(*Received September* 16.)

My Lord, *Loanda, March* 16, 1853.

IN my despatch of the 14th of January, reporting the departure of Commander Wilmot, of Her Majesty's sloop "Harlequin," and senior officer of this division, from this place to Cabinda and Loango, for the purpose of receiving the answers of the Kings and Chiefs of these places, to the proposals made to them on a previous occasion relative to the signing of Treaties for the suppression of the Slave Trade within their respective territories, I stated that the Portuguese

authorities at this place looked upon these proceedings with much jealousy, and that consequently Commander Wilmot, on his return to Cabinda, might probably have to contend with other influences besides those of the slave-dealers.

I am glad, however, now to be able to say, that the exertions of this very zealous and energetic officer have been crowned with much success, and although the King and Chiefs of Loango have for the present declined to accept the proposals made to them, yet Treaties were concluded by Commander Wilmot during his cruise to the northward, with the Kings of Zanga Tanga and Cabinda, with the former on the 2nd and with the latter on the 11th ultimo.

These Treaties, and especially that concluded with the King of Cabinda, I consider of much importance, not only in their direct effects in the great cause of the suppression of the Slave Trade, but also from the influence they are likely to have in inducing the native Chiefs of other parts of this coast to enter into similar engagements.

Commander Wilmot has subsequently been again in communication with the Chiefs of Ambriz, and I believe, from all accounts, he has made such a favourable impression on their minds, that unless some unexpected obstacle arises, the conclusion of a Treaty with these people may, with proper management, be now considered as little more than a matter of time.

In the meanwhile these proceedings have caused the greatest sensation here; the Council of Government has had frequent and protracted sittings of late, and no fewer than three Portuguese vessels of war are now cruizing on the coast between this city and Cabinda, a part of the coast that has for years been almost entirely neglected by them, doubtless for the purpose of watching the movements of the senior officer. Part of the crew of Her Most Faithful Majesty's brig "Corimba" recently landed and examined, or pretended to examine, all the Portuguese factories situated at Ambriz Point, and burned down two huts, within which were found some slave irons and other articles that appeared to be intended for Slave Trade purposes.

The direct effects of these operations on the suppression of the Slave Trade are, I believe, likely to be as little felt as those undertaken and carried out at the same place by the commander of Her Most Faithful Majesty's brig "Mondego" in 1848, as the value of the two huts destroyed (incorrectly called barracoons in the official references to these transactions) and of all they contained did not exceed a few dollars, and further because neither these recent operations, nor those of 1848, were directed against the real centre of Slave Trade speculations at Ambriz. The fact is, that since the destruction of the Slave Trade factories at that place by Her Majesty's cruizers in 1842, the traffickers have never kept the slaves intended for shipment in any numbers at their factories situated at Ambriz Point. These factories have, since that time, been used as depôts for receiving goods intended for the purchase of slaves; but the slaves themselves, as well as the principal articles requisite for carrying on the Traffic, have been kept at another set of factories situated at the inland town of Maybanga, distant four or five miles from the Point.

Had the commander of the "Corimba" directed his operations against that place, he would have found not only a few articles of Slave Trade equipment, but also, in all probability, a considerable number of slaves intended for embarkation. As during the recent cessation of the Traffic, the factors at Ambriz have either abandoned their establishments altogether, or have engaged partially in legal trade, as a temporary means of support, their factories at the present time do not materially differ in appearance from those of the established legal traders.

When I was at Ambriz in September last, I visited more than once, all the factories belonging to parties there for carrying on the Slave Trade, and at all of them, with but one exception, I found the factors engaged in the purchase of ivory, gum, copper-ore, and other articles of legal export trade.

The indirect effects, however, of the operations in question may possibly be useful, should they tend to induce the Ambriz Chiefs to sign more readily the Treaty proposed to them.

Although these operations appear to have been undertaken in consequence of a communication addressed by Commander Wilmot to this General Government, they may nevertheless possibly have had an ulterior object in view, bearing on the assumed right of Portugal to exercise jurisdiction over the Ambriz territory. This seems the more probable as Commander Wilmot's proceedings

at Cabinda and Ambriz appear to have induced the authorities here to set forth, in various ways, the claim of Portugal to the line of coast lying between 5° 12′ and 8° of south latitude.

A report made to the Minister of Marine and Ultramar by the two deputies for this province, in which, among other measures supposed to be beneficial to the province, the immediate occupation of Ambriz is recommended, was published in the official "Gazette" of this General Government in a somewhat conspicuous manner, immediately after the news of the signing of the Treaty by Commander Wilmot with the King of Cabinda became known here. I lost no time in making this known to that officer, and I have reported the same to Her Majesty's Consul at Lisbon for the information of your Lordship.

As bearing on the same subject, I beg to inclose herewith a copy of the official "Gazette" of the 5th instant, which contains a curious announcement of a deputation to this General Government from the King and Chiefs of Cabinda.

The idea of sending the deputation, if not suggested to these people from another quarter, may very probably have originated with those of the Cabinda Chiefs who, desirous of still carrying on the Slave Trade, opposed as far as they could the signing of the Treaty with Commander Wilmot, and who, now that it is concluded, are ready to throw themselves into the arms of this General Government as a likely means of creating embarrassment and obstructing its execution.

The King's joining in this measure, as the announcement said he did, would seem to show that coercive means may have been employed to induce him to do so.

The schooner of war "Conde do Tojal" was sent to Cabinda immediately after the news of Commander Wilmot's proceedings reached this place, and seems to have been there when the deputation in question left.

The person styled the Governor of Porto Rico is the native chief of one of the three towns situated around Cabinda Bay, that has received that name: his name is Francisco Franque, better known as "Chico Franco." He received a good education in the Brazils, and has been for many years a notorious slave-dealer.

The mere fact of so singular an announcement appearing in the Gazette of this Government, shows clearly the sensation that exists here at present with regard to the proceedings of Commander Wilmot.

I have further to inform your Lordship that, a few days ago, the present Acting Governor-General, Captain Antonio Ricardo Graça, lately commandant of the naval station, who on the 19th ultimo superseded the Governor-General *ad interim*, Captain Antonio Sergio de Souza, now ordered to return direct to Lisbon by the first opportunity, sent to me a long letter, concluding with a protest against the proceedings of the British cruizers at Cabinda and Ambriz; describing them as a breach of the Treaties existing between Great Britain and Portugal; as unjust acts, and involving a violation of the rights of Her Most Faithful Majesty.

The grounds of protest are twofold; first, because the inhabitants of these territories, as represented by the Governor-General, are Portuguese subjects, and, as such, incompetent to sign Treaties without the consent of the Government of Her Most Faithful Majesty; and further, because, in the opinion of his Excellency, commanders of British cruizers are, by the Treaty of the 3rd of July, 1842, also incompetent to conclude Treaties, as among the Regulations therein prescribed for their guidance, no mention is made of their being authorized to enter into such negotiations.

I have just sent a reply to this communication, in which I have declined to receive the protest, except for the purpose of transmitting it to those competent to take cognizance of the same, the proceedings alluded to having all taken place beyond the limits of the district of this Vice-Consulate; and further, because these proceedings are conducted under orders not necessarily known to me.

In my reply, however, I have, on my own responsibility, and out of deference to the lengthened exposition of his Excellency's views, given an answer to the most material parts of his letter, which, your Lordship will see, involve no great difficulty.

These documents being rather long, I am unable, under present circum-

stances, to get copies prepared for transmission by an opportunity which now presents itself *viâ* St. Helena.

From this despatch, however, your Lordship will learn the substance of what has taken place, and, by an early opportunity, I will transmit full copies of these papers through Her Majesty's Consul at Lisbon.

I will also forward copies of the same to the senior officer, for his information and that of the Commander-in-chief, as soon as possible.

I have, &c.
(Signed) G. BRAND.

Inclosure in No. 396.

Extract from the Official "Gazette" of the General Government of the Province of Angola of March 5, 1853.

(Translation.) *Loanda, March* 5, 1853.

THROUGH official communications received from the commander of the schooner of war "Conde do Tojal," it is known that the King of Cabinda, the Governor of Porto Rico, and other authorities and people of these territories, over which Her Most Faithful Majesty has reserved rights, are animated by the best and most firm spirit of adhesion and submission to Her Majesty the Queen and the Portuguese authorities, which we have the satisfaction of announcing.

In like manner it is announced that the Government of this province has received a deputation that arrived in a small boat from Cabinda, sent by the King and the Governor of Porto Rico, which deputation presented to his Excellency the Governor-General a letter missive, signed by them and other magnates of the country, declaring that they, and the people whom they represent, respect and recognize the Royal Portuguese authority only, in the same way as all their ancestors have recognized and respected it.

No. 397.

Vice-Consul Brand to the Earl of Malmesbury.—(Received September 16.)

My Lord, *Loanda, March* 23, 1853

I HAVE the honour to inclose herewith, the copy of a letter addressed by me to the senior officer of the southern division of Her Majesty's squadron, with a view to giving further publicity to the tenour of Viscount Palmerston's circular of the 19th of March, 1847, respecting the question of British subjects in foreign countries receiving, and becoming owners of, slaves in payment of debts due to them.

I also inclose a copy of the answer which I received to that communication, and trust that your Lordship will approve of my having addressed the senior officer on this important subject.

I have, &c.
(Signed) G. BRAND.

Inclosure 1 in No. 397.

Vice-Consul Brand to Commander A. E. Wilmot.

Sir, *Loanda, March* 22, 1853.

AS there are several British factories established for purposes of legal trade at different places along the coast within the limits of the division under your charge, but beyond those of the district of this Vice-Consulate, at which places, or their neighbourhood, Slave Trade speculations have been extensively carried on, and where they seem to be partially revived,—as, for example, Ambriz and Loango,—and as it appears very desirable that British subjects connected with these factories should be made fully aware of the penalties to which they are

liable by the statute of 6 and 7 Vict. c. 98, in case of their becoming owners of slaves, countenancing Slave Traffic, or in any way committing acts prohibited by the previous statute of 5 Geo. IV, c. 113; I beg to inclose herewith the copy of a circular issued by Viscount Palmerston to Her Majesty's Consular officers in 1847, containing the decision come to on a question which had arisen in the construction of the said statute of 6 and 7 Vict. c. 98, as to whether British subjects in foreign countries could become owners of slaves, either received in payment of, or seized in execution for, debts due to them.

The substance of this circular was published by me in the form of a public notice on the 30th of September, 1847, and in the official Gazette of this General Government of the 9th of October of that year; but as this publication was confined to the district of this Vice-Consulate, and as it seems desirable to extend it to all those places on this coast where there are British subjects, I have thought it well to transmit a copy of the circular in question to you, fully assured that you will avail yourself of every suitable occasion for making its substance known to Her Majesty's subjects resident at such localities as those now mentioned.

I have, &c.
(Signed) G. BRAND.

Inclosure 2 in No. 397.

Commander A. E. Wilmot to Vice-Consul Brand.

Sir, "*Harlequin*," *St. Paul de Loanda, March* 23, 1853.

I BEG to acknowledge the receipt of your letter of yesterday, inclosing a copy of a circular issued by Viscount Palmerston to Her Majesty's Consular officers, dated March 19, 1847.

The present state of affairs here seems to be particularly well adapted for the circulation of this paper amongst British subjects upon this coast, and I shall not fail to send, by the earliest opportunity, a copy of this most important decision to every subject of Great Britain carrying on trade within the limits of my station.

I have, &c.
(Signed) ARTHUR E. WILMOT.

No. 398.

The Earl of Clarendon to Vice-Consul Brand.

Sir, *Foreign Office, June* 27, 1853.

I HAVE received your despatch of the 23rd of March, 1853, addressed to the Earl of Malmesbury, and its inclosures, on the subject of the interpretation put by Her Majesty's Government upon the statutes of the 5th Geo. IV, cap. 113, and of the 6th & 7th Vict., cap. 98, with reference to British subjects living in foreign countries who may receive or become owners of slaves in payment of debts; and I have in reply to state to you that I approve of your having called the attention of the senior officer of Her Majesty's ships on the southern division of the West African station to this matter.

I am, &c.
(Signed) CLARENDON.

No. 399.

Vice-Consul Brand to Lord John Russell.—(*Received October 4.*)

(Extract.) *Loanda, June 25, 1853.*

I HAVE the honour to inclose herewith, returns of the vessels which have made entry at, and sailed from, the port of Loanda, during the quarter ended on the 31st March last.

Inclosure 1 in No. 399.

LIST of VESSELS which have arrived at the Port of Loanda during the Quarter ended March 31, 1853.

Date of Entry.	Nation.	Class.	Name.	Name of Master.	Name of Owner.	Name of Consignee.	Tons per Register.	No. of Crew.	Cargo.	Whence Arrived.	REMARKS.
1853											
Jan. 3	Portuguese	Patacho	Ioven Wenceslaw	A. J. Correia	A. J. Correira, Lisbon ...	Master	123	10	Agoardente and sundries	Rio de Janeiro	
,, 16	American ...	Barque ...	Seamew	Horace Tufts	Robert Brookhouse, Salem, Mass.	Simon Stodder ...	198	10	Flour, powder, and sundries	Salem	Arrived *viâ* Ambriz.
,, 23	Portuguese	Ship ...	Ioven Carlota ...	José Franco. Martins ...	C. E. Ribeira da Silva, Lisbon	Master	347	18	Agoardente and sundries	Rio de Janeiro ...	Arrived *viâ* Benguella.
,, 26	Ditto ...	Patacho	Restauraçao ...	C. de M. Moreira ...	Widow Tarujo and Sons, Lisbon	Ditto...	130	9	Wines, bale goods, and sundries	Lisbon	Ditto.
Feb. 1	Ditto ...	Brig ...	Conceiçao de Maria	F. de O. Chambica ...	Joao Anto. de L. Robim, Lisbon	Ditto...	239	16	Ditto...	Ditto	Ditto.
,, 3	Ditto ...	Patacho	Andorinha 2o. ...	J. B. Garraio	J. B. Garcaio, Lisbon ...	Ditto...	213	13	Provincial produce ...	Benguella	Entered from coasting.
,, 8	Ditto ...	Brig ...	Portador	F. A. Pinheiro	Ezequiel & Seixas, Lisbon	Ditto	146	15	Ditto	Ditto	Ditto.
,, 8	American ...	Patacho	Louisa Beaton ...	H. Comstock	M. Laurence & Co., New London, Ct.	Mel. Joaqm. de Souza Monteiro	168	8	Oil, gum, and urzella	Ambriz	Ditto.
,, 16	Portuguese	Schooner	Lic	M. Gonçalves	Lice Môr Seruya, Lisbon	José Maria do Prado	107	10	Wines, bale goods, and sundries	Lisbon	
Mar. 8	Ditto ...	Brig ...	Progresso	Paulo Anto. da Rocha ...	Paulo Anto. da Rocha, Lisbon	Master	185	12	Agoardente and sundries	Bahia ...	Arrived *viâ* Benguella.
,, 25	American ...	Patacho	Reindeer	W. J. Julio'	H. S. Ingalls, New York	Franco. Barboza Rodrigues	138	11	Sundries	St. Helena ..	Ditto.
,, 31	Portuguese	Brig .	Aurora	A. A. de C. Carvalho .	A. A. de C. Carvalho, Lisbon	Oliveira & Martins.	175	17	Wines, bale goods, and sundries	Lisbon	Ditto.

Loanda, March 31, 1853.

(Signed) G. BRAND, *Vice-Consul.*

Inclosure 2 in No. 399.

LIST of VESSELS which have cleared out from the Port of Loanda during the Quarter ended March 31, 1853.

Date of Sailing.	Nation.	Class.	Name.	Name of Master.	Name of Owner.	Name of Consignee.	Tons per Register.	No. of Crew.	Cargo.	Whither Bound.	REMARKS.
1853											
Jan. 3	English	Barque	Lanarkshire	Wm. Patterson	Edward Oliver, Liverpool	Albert Schut	688	19	Ballast	Mobile	Entered with coals from Newport, September 29, 1852
„ 6	Portuguese	Brig	Oriente	D. J. do Faria	D. José de Faria, Lisbon	Master	144	15	Provincial produce	Lisbon	Entered from Pernambuco, August 13; from coasting, November 20, 1852
	Ditto	Ditto	Africano	A. F. dos Reis	J. M. G. Monsão, Lisbon	Ditto	150	14	Ditto	Ditto	Entered from Lisbon, August 21, 1852; from coasting, October 28, 1852
„ 19	Ditto	Ditto	Fortuna	A. da C. M. Cardozo	Anto. da C. M. Cardozo & Brothers, Lisbon	Ditto	320	19	Sundries	Benguella	
„ 19	American	Patacho	Louisa Beaton	H. Comstock	M. Laurence & Co., New London, Ct.	Mel. Joaqm. de Souza Monteira	168	8	Remainder of inward cargo	Ambriz	
„ 19	Ditto	Barque	Seamew	Horace Tufts	Robert Brookhouse, Salem, Mass.	Simon Stodder	198	10	Ditto	Benguella	
„ 29	Portuguese	Brig	Emilia	J. F. da C. Roso	Mel. de C. Chambica, Lisbon	Master	180	10	Sundries	Ditto	
„ 30	Ditto	Patacho	Ioven Wenceslaw	A. J. Correia	A. J. Carreia, Lisbon	F. S. Ribeira & Sons	123	10	Ditto	Pernambuco	
Feb. 2	Ditto	Barque	Duke de Bragança	A. V. Ferreira	Franco. Roiz Batalha, Lisbon	José Joaqm. Rodrigues	227	20	Ditto	Benguella	
„ 10	Ditto	Brig	Alliança	J. E. Rodrigues	Felisberto José da Costa, Lisbon	José Maria do Prado	130	12	Provincial produce	Lisbon	Entered from Lisbon, October 9, 1852
„ 14	Ditto	Patacho	Largo	J. da Luiz	C. J. Freitas e Abreu, Madeira	Lion & Brothers	118	11	Ditto	London	Entered from Rio de Janeiro, November 13, 1852
„ 27	Ditto	Ditto	Restauração	C. de M. Moreira	Widow Tarujo & Sons, Lisbon	Mel. Joaqm. Ramos e Silva	130	9	Ballast	Pernambuco	
Mar. 10	Ditto	Brig	Conceição de Maria	A. J. de Jesces	F. de C. Chambica, Lisbon	Master	239	16	Sundries	Benguella	
„ 24	Ditto	Schooner	Ceres	F. M. Cardeira	José Lourenço Sobral & Co., Lisbon	Ditto	97	9	Provincial produce	Lisbon	Entered from Pernambuco, December 30, 1852
„ 26	Ditto	Palhabote	Nazareth	Balthazar Marques	Mel. Anto. de Magalhaes e Silva, Loanda	Owner	25	12	Sundries	St. Thomas	

Loanda, March 31, 1853.

(Signed) G. BRAND, *Vice-Consul.*

No. 400.

Vice-Consul Brand to Lord John Russell.—(*Received October* 15.)

My Lord, *Loanda, June* 30, 1853.

I HAVE the honour to inclose herewith, returns of the vessels which have made entry at, and cleared out from, the port of Loanda during the quarter ended this day.

I have, &c.
(Signed) G. BRAND.

Inclosure 1 in No. 400.

LIST of VESSELS which have arrived at the Port of Loanda during the Quarter ended June 30, 1853.

Date of Entry.	Nation.	Class.	Name.	Name of Master.	Name of Owner.	Name of Consignee.	Tons per Register.	No. of Crew.	Cargo.	Whence Arrived.	REMARKS.
1853 April 4	American	Barque	Seamew	Horace Tufts	Robert Brookhouse, Salem, Mass.	Simon Stodder	198	10	Provincial produce	Benguella	Entered from coasting.
„ 6	Ditto	Ditto	Catherine	J. Phillips	Ditto	Ditto	226	10	Flour, powder, and sundries	Salem	Arrived *viâ* Ambriz.
„ 9	Portuguese	Brig	Oceano	J. S. Fernandes	Thomaz Maria Bissone, Lisbon	Master	140	10	Provincial produce	Benguella	Entered from coasting.
„ 14	Ditto	Ditto	Novo Africano	T. A. de Oliveira	José Maria da Silva Rego, Lisbon	Ditto	188	19	Wines, bale goods, and sundries	Lisbon	Arrived *viâ* Benguella.
„ 15	Ditto	Barque	Smyrna	Joaqm. Frederico Grill	The Baron do Cereal, Macao	Florenço Anto. da Cruz	205	25	Rice and sundries	Macao	Arrived *viâ* Mossamades.
„ 17	Ditto	Ditto	Carlota e Amelia	J. G. de Oliveira	Mel. José Pereira Bastos, Lisbon	Mel. Anto. Guerreiro	230	18	Bale goods and sundries	Lisbon	
„ 27	Ditto	Patacho	Saudade	A. de C. Cotim	Anto. M. Tavares, Lisbon	Master	147	9	Agoardente and sundries	Pernambuco	Arrived *viâ* Benguella.
May 7	Ditto	Brigantine	Roza	Gaspar Joaqm. da Motta	Gaspar Joaqm. da Motta, Rio de Janeiro	Ditto	154	13	Ditto	Rio de Janeiro	
„ 9	Ditto	Patacho	Ioven Wenceslaw	A. J. Correia	A. J. Correia, Lisbon	Silva and Duarte	123	10	Ditto	Pernambuco	
„ 15	Ditto	Brig	Nova Amizade	T. A. Tarração	João Anto. de L. Robim, Lisbon	Master	206	15	Wines, bale goods, and sundries	Lisbon	Ditto.
„ 31	Ditto	Ditto	Veloz	F. R. Palha	Anto. Joaqm. de Oliveira, Lisbon	Ditto	237	15	Agoardente and sundries	Pernambuco	Ditto.
June 9	Ditto	Ditto	Conceição de Maria	A. S. Rodrigues	João Anto. de L. Robim, Lisbon	Francisco d'O. Chambica	239	12	Provincial produce	Benguella	
„ 22	Ditto	Patacho	Restauração	C. de M. Moreira	Widow Tarujo and Sons, Lisbon	Master	130	9	Agoardente and sundries	Pernambuco	
„ 30	Ditto	Barque	Linda Flor	A. P. Lisboa	João Bernardino Nunes, Bahia	Ditto	176	15	Agoardente, tobacco, and sundries	Bahia	

Loanda, June 30, 1853.

(Signed) G. BRAND, *Vice-Consul.*

Inclosure 2 in No. 400.

LIST of Vessels which have cleared out from the Port of Loanda during the Quarter ended June 30, 1853.

Date of Sailing.	Nation.	Class.	Name.	Name of Master.	Name of Owner.	Name of Consignee.	Tons per Register.	No. of Crew.	Cargo.	Whither bound.	REMARKS.
1853 April 6	American	Patacho	Reindeer	W. J. Julio	H. S. Ingalls, New York	Antonio Lopes da Silva	138	11	Provincial produce	New York	Entered from St. Helena, March 25
„ 9	Portuguese	Ditto	Andorinha 2o.	J. B. Garraio	J. B. Garraio, Lisbon	Master	213	13	Ditto	Lisbon	Entered from Lisbon, September 19, 1852; from coasting, February 3, 1853
„ 10	American	Ditto	Louisa Beaton	H. Comstock	M. Laurence & Co., New London, Ct.	Mel. Joaqm. de Souza Monteiro	168	8	Ditto	New London	Entered from New-London, December 31, 1852; from coasting, February 8, 1853
„ 20	Ditto	Barque	Seamew	Horace Tufts	Robert Brookhouse, Salem, Mass.	Simon Stodder	198	10	Ditto	Salem	Original entry from Salem, January 16
„ 20	Portuguese	Brig	Progresso	Paulo Anto. da Rocha	Paulo Anto. da Rocha, Lisbon	Master	185	11	Sundries	Benguella	
„ 20	American	Barque	Catherine	J. Phillips	Robert Brookhouse, Salem, Mass.	Simon Stodder	226	8	Remainder of cargo	Ditto	
„ 20	Portuguese	Ship	Ioven Carlota	José Franco. Martins	C. E Ribeira da Silva, Lisbon	Master	347	18	Provincial produce	Lisbon	Entered from Rio de Janeiro, January 23
„ 25	Ditto	Brig	Portador	F. A. Pinheiro	Ezequiel & Seixas, Lisbon	Ditto	146	17	Ditto	Ditto	Entered from Lisbon, October 2, 1852; from coasting, February 8, 1853
May 1	Ditto	Ditto	Novo Africano	J. Primo da Costa	José Maria da Silva Rego, Lisbon	Rego Thomas Auguste. d'Oliveira	188	18	Ballast	Benguella	
„ 2	Ditto	Schooner	Lice	M. Gonçalves	Lice Mór Saruya, Lisbon	José Maria do Prado	107	9	Provincial produce	Lisbon	Entered from Lisbon, February 15
„ 11	Ditto	Barque	Smyrna	Joaqm. Franco. Grill	The Baron de Cereal, Macao	Florenço Anto. da Cruz	205	25	Wines and sundries	Macao	
„ 11	Ditto	Brig	Aurora	A. A. de C. Carvalho	A. A. de C. Carvalho, Lisbon	Oliveira & Martins	175	17	Sundries	Benguella	
„ 30	Ditto	Barque	Carlota e Amelia	M. A. Guerreiro	Mel. José Pereira Bastos, Lisbon	Master	230	19	Ditto	Ditto	
June 6	Ditto	Brigantine	Roza	Gaspar Joaqm. da Motta	Gaspar Joaqm. da Motta, Rio de Janeiro	Ditto	154	13	Provincial produce	Lisbon	
„ 13	Ditto	Brig	Nova Amizade	A. J. de A. Martins	João Anto. de L. Robim, Lisbon	J. A. Tarração	206	17	Sundries	Benguella	
„ 15	Ditto	Ditto	Oceano	J. S. Fernandes	Thomas Maria Bissone, Lisbon	Master	140	15	Provincial produce	Lisbon	Original entry from Rio de Janeiro, November 17, 1852
„ 24	Ditto	Patacho	Saudade	A. de C. Cotim	Anto. M. Javares, Lisbon	Joao Diogo de Bastos	147	11	Ditto	Ditto	

Loanda, June 30, 1853.

(Signed) G. BRAND, *Vice-Consul.*

PORTUGAL. (*Consular*)—*Madeira.*

No. 401.

Consul Stoddart to the Earl of Clarendon.—(*Received October* 31.)

My Lord, *Madeira, October* 21, 1853.

I HAVE the honour to transmit herewith, for your Lordship's information, a copy of a despatch which I addressed, on the 19th instant, to the Right Honourable Sir Richard Pakenham, in reply to one, dated September 29, which I received from his Excellency on the previous day, respecting a Portuguese vessel called the "*Laura*," which sailed from Terceira on the 17th ultimo, under circumstances which afforded grounds of suspicion that she was likely to be employed in the Slave Trade.

Your Lordship will observe from these communications the steps which I had already felt it my duty to take in the matter, in consequence of a report on the subject having reached me, on the 3rd instant, from Her Majesty's Vice-Consul at Terceira, and I trust they will meet your Lordship's approval.

It may be proper that I should mention also, that I was subsequently put in possession of a detail of the causes of suspicion regarding the "*Laura*," by Her Majesty's Consul at St. Michael's.

Although many of Her Majesty's ships touch here on their way to the coast of Africa, and other stations to the south of this island, some of them pass it without having communication with the shore; I would therefore take the liberty of submitting, for the consideration of Her Majesty's Government, if there be reason to fear that vessels like the "*Laura*" are being fitted out in Portugal or the Azore Islands for unlawful traffic, whether it would not be expedient, as possibly facilitating the means of their capture, to instruct all officers commanding Her Majesty's vessels destined on such voyages, to call at this port for information, if not inconvenient to the public service; particularly as they would not in doing so be much, if at all, deviating from their courses, nor be thereby incurring more than a few hours' delay.

I have, &c.

(Signed) GEO. STODDART.

Inclosure in No. 401.

Consul Stoddart to Sir R. Pakenham, October 19, 1853.

[See Inclosure 2 in No 326.]

No. 402.

The Earl of Clarendon to Consul Stoddart.

Sir, *Foreign Office, November* 8, 1853.

I HAVE received your despatch of the 21st ultimo, reporting the steps which you had taken in consequence of a report which you received from the British Vice-Consul at Terceira, of the sailing from that island of the Portuguese vessel "*Laura*," ostensibly for Madeira, but in reality, as was suspected, on a slave-trading voyage; and I have to inform you that I approve your proceedings in this matter.

I am, &c.
(Signed) CLARENDON.

No. 403.

Consul Stoddart to the Earl of Clarendon.—(*Received December* 2.)

My Lord, *Madeira, November* 21, 1853.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 8th instant, and to assure you that I derive satisfaction to know, therefrom, that my proceedings in the matter of the Portuguese vessel "*Laura*" had merited your Lordship's approval.

I have since heard from Her Majesty's Acting-Consul at St. Vincent that "the man Avellar, in the '*Laura*,' is well known in the Cape de Verde Islands as a most notorious slave-dealer."

I have, &c.
(Signed) GEO. STODDART.

SARDINIA.

No. 404.

The Earl of Clarendon to Mr. Hudson.

Sir, *Foreign Office, January 7*, 1854.

I TRANSMIT to you herewith a copy of a despatch* from Mr. Campbell, Her Majesty's Consul at Lagos, reporting the arrival in that port of the Sardinian brig "*Carlotta*," Giacomo Buonsignore, master, with a very unusual quantity of fresh water, which it appears was taken on board the "*Carlotta*" in the London Docks.

I have requested the Lords Commissioners of Her Majesty's Treasury to draw the attention of the Board of Customs to this matter; and I now transmit an extract of a report which Mr. Rothery has made to their Lordships on this subject; from which it appears that the master of the "*Carlotta*," in taking so large a quantity of water on board his vessel, was guilty of a violation of the Treaty of August 3, 1834, between this country and Sardinia, for the suppression of the Slave Trade.

In accordance with Mr. Rothery"s suggestion, I have to instruct you to mention this case to the Sardinian Minister for Foreign Affairs, and to request that the Sardinian Government will cause it to be made known to the masters of Sardinian vessels engaged in trade with the west coast of Africa, that the taking on board their vessels an unusual quantity of fresh water, even though it be not intended for slave-trading purposes, will render their vessels liable to seizure and condemnation.

I am, &c.

(Signed) CLARENDON.

Inclosure in No. 404.

Extract from Mr. Rothery's Report of 14th December, 1853.

YOUR Lordships were pleased to transmit these papers to the Commissioners of the Customs for their report thereon, which is also herewith returned, dated the 5th of December instant.

In this report the Commissioners of Customs refer to the Convention concluded on the 8th of August, 1834, between the King of Sardinia, His Britannic Majesty, and the King of the French, whereby the King of Sardinia acceded to two Conventions, which had been concluded between this country and France on the 30th of November, 1831, and 22nd of March, 1833, for the suppression of the Slave Trade; and by Article VI of the latter Convention, it is stipulated that any merchant vessel of either nation visited and detained in pursuance of the Convention of the 30th of November, 1831, and of the provisions thereinbefore recited, shall, unless proof be given to the contrary, be held and taken of right to have engaged in the Slave Trade, or to have been fitted out for such traffic, if any of the particulars thereinafter specified be found in her outfit or equipment, or on board of her, and the following is amongst the particulars recited: "Having on board an unreasonable number of water-casks, or other vessels for holding water, unless the master shall produce a certificate from the Custom House, from the place at which he cleared outwards, stating that a sufficient security had been given by the owners of such

* See No. 29.

vessel, that such casks or other vessels should only be used for the reception of palm oil, or be employed in any other lawful trade."

The Commissioners of Customs do not in their report state clearly, what were the conditions of the bond which had been given by the Sardinian master, nor do they state the substance of the certificate which issued from that department upon the bond being taken; and it did not appear, whether either the one or the other had reference to the fact of there being seventy-three casks containing 8,000 gallons of fresh water on board.

I have the honour further to report, that I have attended at the Custom-house for the purpose of ascertaining the precise nature of the bond, and of the certificate that issued, to ascertain precisely the facts stated; and I learn that on the 3rd of June last, the master of the "*Carlotta*" entered into a bond in the penal sum of 500*l.*, and there is no mention made, either in the bond or in the certificate, as to this quantity of water being on board the vessel, but quite the contrary, they both refer to eighty-five empty casks being on board, and therefore, so far as appears from these documents, the vessel left the port of London with empty casks.

I have the honour further to report, that it is evident that a breach of the Convention has been committed by Gracomo Buonsignore, the master of this Sardinian vessels, and I am rather surprised she was suffered to depart from Lagos without being seized and proceeded against: I beg, however, to suggest that it appears to me to be very advisable that Her Majesty's Secretary of State for Foreign Affairs should represent the circumstances to the Sardinian Minister, in order to prevent a recurrence taking place.

No. 405.

Mr. Hudson to the Earl of Clarendon.—(*Received January* 28.)

My Lord, *Turin, January* 20, 1854.

WITH reference to your Lordship's despatch of the 7th instant, I have the honour to transmit herewith the copy of a note from the Sardinian Minister for Foreign Affairs, informing me that a circular has been addressed to the proper authorities, instructing them to make known to the masters of Sardinian vessels engaged in trade with the west coast of Africa, the consequences to which they will expose themselves by taking on board an unusual quantity of fresh water.

I have, &c.

(Signed) JAMES HUDSON.

Inclosure in No. 405.

General Dabormida to Mr. Hudson.

M. le Ministre, *Turin, le* 18 *Janvier,* 1854.

JE me suis empressé de donner communication au Ministre de la Marine de la note que vous m'avez fait l'honneur de m'écrire le 13 du courant, pour me signaler le résultat de la visite faite à bord du brick Sarde "*Carlotta,*" dans les eaux de Lagos.

Mon collègue me répond aujourd'hui qu'il a aussitôt adressé une circulaire aux Consuls des différentes directions maritimes de l'Etat, pour leur enjoindre de prévenir les navigateurs nationaux des conséquences auxquelles ils s'exposeraient en prenant à leur bord, pour les voyages de l'Afrique Occidentale, une quantité d'eau plus grande que celle nécessaire.

J'espère qu'une pareille mesure suffira pour prévenir toute contravention de ce genre au Traité conclu entre la Grande Bretagne et la Sardaigne pour la répression de la Traite des Noirs, et je saisis, &c.

(Signé) DABORMIDA.

SPAIN.

No. 406.

The Earl of Clarendon to Lord Howden.

My Lord, *Foreign Office, April* 5, 1853.

I HAVE to instruct your Lordship to communicate to the Spanish Government the substance of the inclosed despatch* from Her Majesty's Consul-General at Havana, stating that about 500 African slaves were landed on the coast of Cuba, between Sagua and Cardenas, a few days before the 8th ultimo.

I am, &c.
(Signed) CLARENDON.

No. 407.

Lord Howden to the Earl of Clarendon.—(*Received April* 7.)

My Lord, *Madrid, March* 18, 1853.

I HAVE the honour to transmit to your Lordship translation of a note I have received from Count Alcoy, in answer to a communication I made to him, founded on Lord John Russell's despatch of the 21st ultimo, relating to the vessel "*Lady Suffolk*."

I have, &c.
(Signed) HOWDEN.

Inclosure in No. 407.

The Count of Alcoy to Lord Howden.

(Translation.)

My Lord, *Madrid, March* 15, 1853.

I HAVE had the honour of receiving your Lordship's note dated the 28th ultimo, in which, in reply to another note from this Office, which alluded to the exaggerated manner in which Mr. Crawford writes his reports relative to preparations for the Slave Trade in the Island of Cuba, you state, in your Government's name, that the accusation brought forward by the British Consul at the Havana relative to the case of the ship "*Lady Suffolk*," is not contradicted by the facts which are reported in the communications which have been received on this subject from the Captain-General, and which were transmitted to the British Legation on the 5th of January last. Your Lordship observes, that so long as it be not proved that the persons who were tried on the occasion in question were the principal offenders, Mr. Crawford's expressions remain in their full force. To this, your Lordship will allow me to observe, that only the credit, which I should venture to call an excessive one, which the English Government

* See No. 510.

gives to the assertions of its agents at the Havana, can have suggested an argument like the one which is now set forth.

The charge in question having been brought forward in a vague and undetermined form, without mentioning any persons or positive facts, the defence of the Captain-General's conduct is to be found in the acts which appear from his despatches relative to the case of the "*Lady Suffolk*." These despatches were communicated to your Lordship on the 5th of January last, and your Lordship could not abstain from acknowledging, in your note of the 8th of the same month, the straightforward and loyal behaviour of the aforesaid functionary. Should the British Consul now be able to prove that some individual who had been found guilty in the trial in question had been allowed to escape the action of the law, or that some denounced persons had not been included in the trial, then the charge of partiality which has been preferred against General Cañedo would be well founded, and it might then be required that this functionary should produce the evidence which your Lordship supposes to be necessary for the vindication of his conduct. But such not being the case, and the accusation being reduced to Mr. Crawford's vague assertion, Her Majesty's Government can only confine itself to reject it as unjust and offensive to the dignity of a high functionary, because General Cañedo's responsibility, in the present case, cannot extend beyond the limits of the trial in which his conduct has been justified, and his efforts to detect the crime and its perpetrators have been clearly demonstrated.

Some recent instances must have convinced the British Government that the Captain-General of Cuba spares no effort nor fatigue for the attainment of the abolition of the Traffic in Slaves; and, indeed, when that functionary sees that, instead of the zeal and alacrity with which he devotes himself to the attainment of this object being acknowledged, all sorts of accusations are being preferred against him, he will be compelled to resort to his own sense of duty, in order not to be discouraged in the difficult task entrusted to him.

I avail, &c.
(Signed) EL CONDE DE ALCOY.

No. 408.

Lord Howden to the Earl of Clarendon.—(Received April 7.)

My Lord, *Madrid, March* 21, 1853.

I HAVE the honour to transmit to your Lordship a translation of a note I have received from Count Alcoy, announcing measures to be immediately adopted with regard to the final manumission of the emancipados in Cuba, to which I adjoin my answer.

I also transmit translations of two other notes from Count Alcoy, respecting the alleged disembarkation of negroes, to which I equally annex my answer.

Count Alcoy sent me a great mass of papers to show the proceedings which had been instituted in various cases, and I must confess that great pains had been apparently taken to attain the object in view. I need not enlarge upon this question, for as everything depends upon the animus with which these things are done, your Lordship is as good a judge as myself of what are the probabilities of the matter.

I have, &c.
(Signed) HOWDEN.

Inclosure 1 in No. 408.

The Count of Alcoy to Lord Howden.

(Translation.)

Most Excellent Sir, *Madrid, March* 15, 1853.

AS I had the honour of acquainting your Lordship, under date of the 9th of February last, I again urged the Colonial Council to give in its report upon the grave question of the emancipated negroes of the Island of Cuba; and I have now the satisfaction to acquaint your Lordship that the Queen, my Lady, in consideration of the advice of the Colonial Council, has been pleased to resolve that freedom be granted to all the emancipated negroes actually in the Island of Cuba, originating from the Treaty of 1817, as their contracts of consignment fall in, provided that all of them be set free before the end of the present year, 1853; that each one of these emancipated negroes, after obtaining his letter of liberty, may continue to reside in the Island of Cuba, if it should suit his purpose, and the Captain-General make no objection thereto; and, lastly, that the emancipated negroes originating from the later Treaty of 1835, shall also obtain their freedom, should they have completed the five years of consignment considered as necessary for them to be taught; and that as regards those who are not so situated, endeavours be made to cultivate their education by those means which the present regulations regarding emancipated negroes furnish, or by such means as it may be considered expedient to establish hereafter, so that they may in like manner obtain their letters of liberty as soon as possible.

Her Majesty's Government are aware of the difficulties and no small sacrifices which this measure must produce; but this does not deter them, persuaded that duty imposes it, and loyalty exacts it.

I hope that Her Britannic Majesty's Government will do justice to that of Her Majesty, and that will be its best recompense.

I avail, &c.

(Signed) EL CONDE DE ALCOY.

Inclosure 2 in No. 408.

Lord Howden to the Count of Alcoy.

Sir, *Madrid, March* 16, 1853.

IT was with the most unfeigned satisfaction that I received, last night, your Excellency's esteemed note of yesterday morning, announcing the wise, just, and humane measure which the Spanish Government has determined to adopt with regard to the "emancipados" in Cuba. I hasten to express to your Excellency how much I applaud this resolution; and to state that I shall lose no time in conveying the knowledge of it to my Government, who will, I am sure, equally participate in what I feel. I can sincerely assure your Excellency, that if it is sometimes my painful duty to be the channel of disagreeable observations respecting the Slave Trade, those observations are forced upon the Government which I serve, and upon myself, by the public opinion of our country; and I seize, not only with pleasure, but with avidity, every occasion of expressing sentiments as natural to the Government of England, as congenial to my own feelings.

The different Cabinets of Her Catholic Majesty may rest assured that whatever successive steps they may honestly and courageously take for the final suppression of this odious Traffic in Slaves,—one not only indefensible in itself, but having the lamentable result of producing continual dissension between the Governments of England and Spain,—will be measures not only thoroughly appreciated by the English people as a matter of justice, but will be gratefully accepted by them as a proof of

friendly cooperation in a great cause, and as so many reasons for drawing closer and closer those bonds of amity which they are so anxious never to see dissolved.

I avail, &c.
(Signed) HOWDEN.

Inclosure 3 in No. 408.

The Count of Alcoy to Lord Howden.

(Translation.)

My Lord, *Madrid, March* 15, 1853.

I HAVE received your Lordship's note of the 11th instant, in which you are pleased to inclose two despatches from the British Consul at the Havana, relative to the supposed landing of 600 negroes at Cabañas, and I hasten to state to your Lordship that, as yet, no intelligence has reached Her Majesty's Government on this subject, though I entertain the hope that the Captain-General of the Havana will have proceeded with the greatest activity to the investigation of facts, and will report them with the punctuality and accuracy which your Lordship will be enabled to appreciate yourself, by perusing the correspondence relative to other analogous cases, which I, confidentially, and under a separate cover, transmit to your Lordship.

But, without my denying or admitting the correctness of the above-mentioned denunciation, I beg to call your Lordship's and the British Government's attention to a circumstance which Mr. Crawford himself mentions in his communications. That functionary states, that the vessel which had conveyed the 600 negroes, was sunk, after landing them; and this assertion either implies that the landing in question is a mere invention, and that in order to prevent the elucidation of the truth, it has been contrived that the vessel should thus disappear; or that the persecution is so active, and the penalties so severe, that the capital which the vessel represents has been sacrificed, in order that its owners may remain undetected, and escape the punishment of the law; which, in the latter case, would thoroughly contradict Mr. Crawford's assertions as to the Slave Trade continuing to be carried on with the greatest audacity and impunity.

I avail, &c.
(Signed) EL CONDE DE ALCOY.

Inclosure 4 in No. 408.

The Count of Alcoy to Lord Howden.

(Translation.)

My Lord, *Madrid, March* 15, 1853.

IN pursuance of my decided purpose of giving the Government of England every possible proof of the loyalty and good faith with which Her Majesty's Government and its subordinate functionaries make every possible effort to put a stop to the Slave Trade in the Island of Cuba, I inclose to your Lordship the original despatches from General Cañedo, Nos. 34, 37, and 39, relative to this subject, trusting that this repeated mark of confidential frankness will be the best answer to the accusations which are so unjustly brought forward against that respectable functionary.

I think it expedient, moreover, to state to your Lordship, that General Cañedo, in a private letter which I have just received from him, tells me, amongst other things, that he is making, and intends to make, every possible effort, even to the prejudice of other exigencies of the service, for the purpose of extinguishing the Slave Trade, and that he

confidently expects that the slave-dealers will at last become disheartened and fatigued at his persecution, and be compelled to desist from their unlawful avocations.

I avail, &c.
(Signed) EL CONDE DE ALCOY.

Inclosure 5 in No. 408.

Lord Howden to the Count of Alcoy.

Sir, *Madrid, March* 16, 1853.

I HAVE the honour to acknowledge two esteemed notes from your Excellency, dated the 15th instant, relating to the fraudulent disembarkation of negroes in the Havana, with the inclosure in one of the notes of a mass of papers relating to the perquisitions made by Captain-General Cañedo for the suppression of such illicit proceedings.

I have taken cognizance of these documents, and I greatly rejoice at all steps taken by General Cañedo for the above object. I shall not fail to report the same to my Government.

But what will give singular satisfaction to the Earl of Clarendon, as it has done to myself, is the allusion to a private letter of General Cañedo, the contents of which your Excellency has kindly communicated to me, in which he gives positive assurances that his utmost efforts will be directed to the extinction of the Slave Trade in Cuba.

I never for one moment can doubt any promise solemnly made by a person who has the honour to wear the glorious uniform of Spain.

I return to your Excellency, with many thanks, the interesting papers with which you favoured me.

I avail, &c.
(Signed) HOWDEN.

No. 409.

Lord Howden to the Earl of Clarendon.—(*Received April* 7.)

My Lord, *Madrid, March* 22, 1853.

I HEREWITH transmit translation of a note and its inclosure, which I have received from Count Alcoy, in reply to a communication I made to him in consequence of instructions I received from your Lordship, inclosing at the same time to his Excellency a list of vessels which, according to Mr. Crawford's account, disembarked their cargo of slaves in Cuba during the year 1852.

I also add copy of my answer to Count Alcoy's note.

I have, &c.
(Signed) HOWDEN.

Inclosure 1 in No. 409.

The Count of Alcoy to Lord Howden.

(Translation.)

My Lord, *Madrid, March* 17, 1853.

I HAVE received your Lordship's note of the 12th instant, in which you are pleased to inclose the Report on the state of the Slave Trade which the British Consul at the Havana has sent to his Government at the end of the year 1852.

I beg to express to your Lordship with perfect frankness, the deep regret I have felt on perusing the aforesaid document, and on considering

that such a document is taken as a good foundation to prefer accusations against Her Majesty's Government.

The British Consul at the Havana, in his aforesaid Report, assures that 5,943 Bozal negroes were imported last year into the Island of Cuba, and that it is besides to be supposed that there were one-third more, whose disembarkation has not been detected. And founded on this supposition, he asserts that the importations during the year 1852, amounted to 7,924 negroes, wherefrom he comes to the conclusion that the Slave Trade is carried on almost openly and with impunity.

It seems impossible that the British Government can have considered Mr. Crawford's suppositions as a good foundation to make formal accusations against the Government of a friendly Power, which has given no offence to Great Britain.

If your Lordship examines with attention the return of imported slaves, drawn up by Mr. Crawford, you will observe that the greatest part of the importations which form the total number of 5,943 negroes, are founded on the gratuitous assertions of a functionary who is in the habit of making denunciations on the ground of any vague rumour afloat, and who, although his denunciation be subsequently proved to be untrue, pays no attention to it, and still persists in supposing the fact as a correct one, in order to be able to increase the numbers which suit his purpose. And, as if there were not sufficient, he moreover capriciously supposes that 2,000 more negroes may have been landed without his being apprized of it.

In order that your Lordship may clearly see the real signification of the cypher of 5,943 negroes, who are supposed by the British Consul to have been landed on the Island of Cuba, I transmit to your Lordship a copy of Mr. Crawford's return, accompanied with notes in the margin, showing the result of the legal investigations instituted into every one of the supposed disembarkations; and I beg to assure your Lordship that I do not pretend, in transmitting to you this document, absolutely to deny that slaves have been landed, nor to assert that all the denunciations made by the British Consul are really and decidedly untrue; my only object is to call your Lordship's attention to two points—

First, that a Government can only be accused when the charges against it are founded on the legal truth; and that the vague and unfounded denunciations which Mr. Crawford so frequently brings forth are not the legal truth.

And secondly, that this functionary's assertion as to the Slave Trade being carried on openly and with impunity cannot be correct when so many difficulties are found in the ascertainment of truth in this sort of affairs, which, were they so public as is supposed, would be easily proved.

I repeat to your Lordship that I cannot but experience the most profound regret at seeing that the British Government listens and attaches importance to the information given by an agent, who amongst the charges he prefers against the authorities of Cuba, enumerates the fitting out of ten vessels which were preparing for the Slave Trade, while three of these vessels have been seized by the Spanish authorities, as Mr. Crawford himself acknowledges, and four other vessels are still under trial before the Mixed Court of Justice. If the British Government had on this occasion behaved towards the Government of Spain with the friendly deference which seems to be required by the relations existing between the two countries, it would have naturally suspended its judgment on the subject, considering that Mr. Crawford wanted to bring forth some apparent scandalous transactions connected with the Slave Trade, in order to justify the adoption of arbitrary measures, which can only have been suggested to him by his not dissembled disaffection towards everything which is Spanish in the Island of Cuba.

But Her Majesty's Government intends to enter, on a subsequent occasion, into more detailed explanations on this subject, when it shall have collected the data which are required to prove its impartiality and justice.

I beg your Lordship to excuse the frankness with which I confess my

discouragement on this question; because if the loyalty with which the Spanish Government is acting on this matter, and of which your Lordship possesses numerous proofs, is not sufficient to inspire confidence to the British Cabinet; if its efforts and sacrifices are of no avail; but, on the contrary, the good understanding between the two Governments is to be dependent on the ill-will of an agent who founds his own importance on the exaggeration of his conduct, your Lordship will comprehend that the discouragement of Her Majesty's Government is as well founded as it is difficult to find a remedy for this state of things.

I avail, &c.

(Signed) EL CONDE DE ALCOY

Inclosure 2 in No. 409.

List of Vessels arrived at the Island of Cuba with Negroes in 1852.

January	21, 1852.—Cargo of the Brazilian polacca "Sta. Cruz," number unknown (96 captured), supposed to be	500
	„ Cargo landed at Cochinos Bay	500
	From the investigations made no proofs were found of the landing having taken place.	
February	11, 1852.—Cargo landed at Camarioca	800
	Nothing was clearly proved; but the Governor of Matanzas, Don Julian Pavia, was dismissed for want of vigilance.	
	24, 1852.—Cargo landed at Sierra Morena	640
	Nothing was clearly proved.	
June	2, 1852.—Cargo, by Spanish brig "Cora," landed at Cayo Frances	350
	Although from the first investigation it appeared that the landing was not true, judicial proceedings have been instituted into the matter.	
July	22, 1852.—Cargo, by a vessel, name unknown, landed at Ortigosa	540
September	25, 1852.—Cargo landed at Trinidad, Rio Zarza	390
	From the summary investigations it appeared that no such landing was effected.	
October	4, 1852.—Cargo landed at Ortigosa	400
November	19, 1852.—Cargo landed between Mariel and Cabañas	150
	From the summary investigation it appeared that no such landing took place; but it appeared at the same time that 60 negroes had been landed, and that 25 were seized.	
December	23, 1852.—Cargo landed at Trinidad, Rio Zarza	273
	It was proved by the summary investigations that no such landing had taken place.	
	„ Cargo landed at Cabañas	600
About December	23.—It is reported that another cargo was landed near the Havana from a Spanish vessel bearing a particular signal of Cadiz	600
		5,943

Note.—Instead of the two cargoes which are supposed to have been landed at Ortigosa there is only at this office the denunciation of a landing of 700 negroes of which no proofs were found.

Inclosure 3 in No. 409.

Lord Howden to the Count of Alcoy.

Sir, *Madrid, March* 19, 1853.

I HAVE had the honour of receiving your Excellency's esteemed note of the 17th instant, relating to the number of slaves which Her Britannic Majesty's Consul-General in Cuba believed to have been illegally introduced into that island during the year 1852.

I shall not fail to transmit home your Excellency's justification of the Spanish authorities, as in all my dealings with the Government of Her Catholic Majesty, I can have no other possible wish than to act in the most fair, impartial, and friendly manner, and in cases like the present my ardent desire is that the truth should be clearly known and publicly exposed, whatever be the side on which it has been sought to be perverted.

I avail, &c.
(Signed) HOWDEN.

No. 410.

The Earl of Clarendon to Lord Howden.

My Lord, *Foreign Office, April* 11, 1853.

WITH reference to your despatch of the 21st ultimo, inclosing copies of correspondence which had passed between yourself and Count Alcoy, respecting the approaching liberation of the emancipados in Cuba, and the expressed determination of the Spanish Government, and of Captain-General Cañedo, to use their utmost efforts for the suppression of Slave Trade, I have the satisfaction of informing your Lordship that I approve of the notes which you addressed to Count Alcoy, copies of which were inclosed in your despatch above mentioned.

I have at the same time to instruct your Lordship to convey to the Spanish Government the thanks of Her Majesty's Government for the renewed assurances of their determination to suppress the Slave Trade.

You will further say that the liberation of the emancipados is a signal proof of the good faith with which the Spanish Government are acting; and with reference to the solemn pledges now given by General Cañedo, Her Majesty's Government cannot doubt that an improved state of things will take place in Cuba, and that the friendly relations of the two countries will no longer be endangered, nor their respective Governments harassed, by the frequent complaints that have hitherto been unavoidable.

I am, &c.
(Signed) CLARENDON.

No. 411.

Lord Howden to the Earl of Clarendon.—(*Received April* 15.)

My Lord, *Madrid, April* 9, 1853.

I HAVE the honour to transmit to your Lordship translation of the answer I have received from the Spanish Government to the note which I addressed, by your Lordship's instructions, in consequence of the promised manumission of the emancipados in Cuba.

I have, &c.
(Signed) HOWDEN.

Inclosure in No. 411.

The Count of Alcoy to Lord Howden.

(Translation.)

My Lord, *Madrid, April* 6, 1853.

I HAVE received your Lordship's polite note of the 4th instant; and I have to state to you, in reply, that Her Majesty's Government has seen with the greatest satisfaction the testimonies of friendship and esteem, conveyed to it through your channel, on the part of the Cabinet of Her

Britannic Majesty, on the occasion of the decision lately adopted with regard to the emancipated negroes in the Island of Cuba.

Her Majesty's Government feels highly gratified at seeing that the Government of Her Britannic Majesty has acknowledged, in the above-mentioned decision, the intention and the wishes by which the former is animated of drawing closer the relations of amity and good understanding which unite the two nations, and trusts that the measure in question will also be considered as a loyal and sincere testimony of the good faith with which the Spanish Government has proceeded, and will always proceed, in matters relative to the black population of the aforesaid island.

I avail, &c.

(Signed) EL CONDE DE ALCOY.

No. 412.

Lord Howden to the Earl of Clarendon.—(Received April 26.)

My Lord, *Madrid, April* 20, 1853.

IN conformity with the instructions contained in your Lordship's despatch of the 5th of April, I lost no time in addressing to the Spanish Government a note relative to the landing of about 500 Bozal negroes to the east of Cardeñas in Cuba, about the 5th of last month.

Count Alcoy, in his answer, translation of which I herewith inclose, informs me that no intelligence respecting this alleged landing of slaves, has as yet been received in his department, but that he has caused inquiries upon the subject to be instituted in the General Colonial Office, and that he will not fail to let the result of those inquiries be communicated to me without delay.

I have, &c.

(Signed) HOWDEN.

Inclosure in No. 412.

The Count of Alcoy to Lord Howden.

(Translation.)

My Lord, *Madrid, April* 12, 1853.

I HAVE had the honour of receiving your Lordship's note of yesterday's date, relative to a landing of 500 Bozal negroes, which, according to the information received by the British Government, is supposed to have taken place between Sagua and Cardeñas on the coast of Cuba.

I have to state to your Lordship, in reply, that no intelligence having as yet been received at this office respecting the landing alluded to in your aforesaid note, I have instantly caused inquiries to be made on the subject at the General Colonial Office; and as soon as I receive an answer I will lose no time in communicating it to your Lordship.

I avail, &c.

(Signed) EL CONDE DE ALCOY.

No. 413.

The Earl of Clarendon to Lord Howden.

My Lord, *Foreign Office, May* 3, 1853.

WITH reference to my despatch to you of the 5th of April last, in which I informed you that a disembarkation of 500 African slaves had been effected in Cuba between Sagua and Cardeñas, in the beginning of March last, I now transmit to your Lordship copies of three further despatches* and of their inclosures, which I have received from Her Majesty's Consul-

* Nos. 516, 518, and 520.

General at the Havana; the first showing how the slaves from the slaver above alluded to were disposed of; the second reporting that a further landing of from 1,100 to 1,200 slaves had taken place on the 12th of March, near Cardeñas.

I have to instruct you to communicate the substance of these papers to the Spanish Government, and to express the deep regret of Her Majesty's Government that the solemn assurances of the Captain-General so lately given should be so totally disregarded; and you will add, that the Spanish Government cannot be surprised if Her Majesty's Government take effectual measures for putting a stop to such glaring infractions of the Treaty.

I am, &c.
(Signed) CLARENDON.

No. 414.

Lord Howden to the Earl of Clarendon.—(*Received May* 18.)

My Lord, *Madrid, May* 2, 1853.

I HAVE the honour to forward to your Lordship translation of a note which I have received from General Lersundi, inclosing me confidentially some reports in the original from General Cañedo on the Slave Trade. I must frankly say that these reports (which, from their nature, and from the manner in which they were put into my hands, I am unable to transmit to your Lordship) were most gratifying to me; and the note itself is written in a tone which cannot fail to be satisfactory to your Lordship.

I have, &c.
(Signed) HOWDEN.

Inclosure in No. 414.

General Lersundi to Lord Howden.

(Translation.)

My Lord, *Madrid, April* 26, 1853.

BEING anxious to give to your Lordship new proofs of the wishes by which Her Majesty's Government is animated with regard to the suppression of the Slave Trade, and also of the incessant and loyal efforts made by the Spanish authorities in Cuba for the attainment of that object, I have the honour to inclose to your Lordship, quite confidentially, the despatches, in original, which have been received from General Cañedo, reporting the measures adopted by him, in consequence of intelligence obtained from his agents respecting some projects of disembarkation of slaves.

By the perusal of the aforesaid documents, your Lordship will be enabled to see that, even previously to Mr. Crawford's denunciation of one of the cases alluded to in the despatches from General Cañedo, this functionary had already taken the proper steps for the purpose of preventing, if possible, that the presumed violation of Treaties should be carried into effect, if attempted, as he was induced to think it would be; and your Lordship will likewise be enabled to observe, on reading the report of the proceedings instituted in consequence of a vessel, which was supposed to be a slaver, having been stranded on the coast, that the authorities of Her Majesty's Government, in their efforts to persecute the Slave Trade, meet with difficulties of such nature that sometimes neither their well-known zeal and activity, nor the means—even illegal ones in some cases—to which they have recourse in their investigations, are sufficient to overcome them.

I have to request that your Lordship will have the goodness to cause the inclosed papers to be returned to this office as soon as done with; and I avail, &c.

(Signed) FRANCO. LERSUNDI.

No. 415.

Lord Howden to the Earl of Clarendon.—(*Received May* 18.)

My Lord, *Madrid, May* 3, 1853.

YOUR Lordship, from your experience of Spain, must know that the powers of the Captains-General of Cuba, surrounded by persons interested in the Slave Trade, are of such a nature as to be easily neutralised in their passage through the complicated machinery of Government in that island when there is a question of stopping importation. The Captains-General have more power to do ill than to do good, for they are supported in the one and thwarted in the other.

A conversation which I had some time ago with General Concha confirmed me in this opinion, and I have always urged the Government of Her Catholic Majesty to extend the powers of the Captain-General; that is to say, practically, to make him more independent of collateral influences exercised officially by authorities which were in former times established, from jealousy or prudence, as a check on the Governor.

I see with pleasure a new and growing desire on the part of Spain to listen to the just expostulations of England, or perhaps I ought in fairness to say to consult her own honour; and I have the satisfaction to inform your Lordship that this day the copy of a report from the Consejo de Ultramar was forwarded to the Foreign Office, recommending additional powers to be conferred on the Captains-General of Cuba, as the means of giving them additional facilities for the prevention of the Traffic in Slaves.

I have, &c.

(Signed) HOWDEN.

No. 416.

Lord Howden to the Earl of Clarendon.—(*Received May* 18.)

My Lord, *Madrid, May* 12, 1853.

I HAVE the honour to inclose to your Lordship a translation of a note which I have this day received from the Minister for Foreign Affairs, stating the efforts made by the chief authority in Cuba to extinguish the Slave Trade. The new powers assumed by the Captain-General for the discovery of secreted negroes will certainly tend to check their importation if honestly exercised, which I timidly trust they will be. The Spanish Government labour under a belief that anything they do is not likely to be appreciated by Mr. Crawford, and should indeed these new efforts of General Cañedo have any manifest result, it would be politic as well as gratifying to give credit should it be due.

I have, &c.

(Signed) HOWDEN.

Inclosure in No. 416.

General Lersundi to Lord Howden.

(Translation.)

My Lord, *Madrid, May* 7, 1853.

IN consequence of the recent and peremptory instructions which, as your Lordship is aware, were lately sent to the Captain-General of the Island of Cuba, directing him to spare no exertion whatsoever until obtaining, as far as possible, the extinction of the Traffic in Bozal negroes, a long communication from that functionary has been received, in which, with reference to the steps he had already taken for that purpose, as your Lordship will have seen on perusing the original documents which, on several occasions have been confidentially shown to your Lordship, he reports the new and energetic measures which he has dictated in order to fulfil the instructions above alluded to.

Every means which could be resorted to, within the strict pale of law, against the dealers in slaves, having been exhausted, the Captain-General, prompted by the desire of attaining the total extinction of the Slave

Trade, has not hesitated to adopt an extreme measure, for which the laws by virtue of which that functionary exercises his authority, offer rather an insufficient foundation.

This measure consists in the instructions which have been sent to all the Governors of districts in the island, to the effect that whenever, under certain circumstances, it may be suspected that in any of the plantations where slave work is made use of some Bozal negroes may have been concealed, those functionaries are allowed to search the plantations in question, and to carry off all Bozal negroes they may find in them, placing the latter immediately at the disposal of the Captain-General.

Your Lordship will easily perceive that this proceeding might be said to be rather inconsistent with the provisions of the laws; and being well persuaded of the reasons and causes which have induced General Cañedo to give such an ample interpretation to the powers granted to him by the existing laws, your Lordship must surely consider this new effort made to attain the abolition of the Slave Trade as a fresh instance of the zeal and energy which the superior authority of Cuba is displaying in the persecution of that Traffic, as well as of the loyalty of his intentions.

Her Majesty's Government, whose wishes on this matter are well-known to your Lordship, feels a gratification in affording to the Government of Her Britannic Majesty this full demonstration of the fact that no means are spared in order to overcome the numerous and serious obstacles which thwart the complete success of the exertions made for the purpose of preventing the landing of slaves; but I beg to state to your Lordship, at the same time, the apprehensions and the regret which General Cañedo entertains as to the inability of the British Government ever to appreciate the loyalty of his conduct, notwithstanding all his exertions, in consequence of the erroneous reports which, on every case, will be addressed to it by Mr. Crawford, who, in his own personal opinion, finds nothing at all acceptable in what is done by the Spanish authorities in the Antilles, and therefore it is to be supposed will present their acts under the most possibly unfavourable point of view.

I avail, &c.

(Signed) FRANCO. LERSUNDI.

No. 417.

Lord Howden to the Earl of Clarendon.—(*Received May* 30.)

My Lord, *Madrid, May* 23, 1853.

I HAVE the honour to transmit herewith translation of a note I have received from General Lersundi, with the translation of an inclosure transmitted to me confidentially by his Excellency.

I have answered this note, by stating the satisfaction I felt at anything tending to prove an honest cooperation for the extinction of the Slave Trade by the authorities of Cuba.

It would not have been difficult to answer that part of the note relating to Gibraltar, by showing the total want of the parity wished to be established; but I thought it better not to take any notice of this little attempt at smartness, or crush by ponderous reasoning any newborn zeal that from one cause or another may have arisen, and which, if really at work, may be allowed a little gratification of this sort.

I have, &c.

(Signed) HOWDEN.

Inclosure 1 in No. 417.

General Lersundi to Lord Howden.

(Translation.)

My Lord, *Madrid, May* 14, 1853.

IN pursuance of my purpose of proving to your Lordship with patent facts, the indefatigable activity which the Captain-General of the Island of Cuba displays in the persecution of the Slave Trade, I have the honour

to inclose, very confidentially, to your Lordship, a communication in original, from the above-mentioned functionary, in which he reports the seizure of 100 Bozal negroes, who formed part of a cargo which in spite of the vigilance of the English cruizers over the coasts of the island, arrived at Siguapa, without any accident whatsoever, the seizure of the aforesaid 100 Bozal negroes being due to the efforts of the Spanish authorities.

In order that your Lordship may appreciate the importance of this result, I beg to call your Lordship's attention to the numerous and grave difficulties which oppose themselves to the success of the measures adopted against the Slave Trade, as well on account of the lucrative nature of this unlawful Traffic, as in consequence of the infinite means which those engaged in it possess to carry their undertakings into effect.

A great part of the inhabitants of the Island of Cuba, being interested in the importation of negroes, if they do not co-operate in an efficient manner to the landing and concealment of Bozal negroes, abstain at least from contributing to the success of the exertions of the authorities when they endeavour to ascertain the truth and to seize the Bozal negroes. For these and other reasons, it frequently happens that, when judicial proceedings are instituted on some case of infraction of Treaties, the authorities act on the subject rather prompted by moral conviction than in virtue of the apparent result of the proceedings.

Such a course, as your Lordship will perceive, cannot be styled a strictly legal one, and yet on several occasions, as in the present instance, Her Majesty's Government and its functionaries in Cuba, have chosen not to be excessively strict in the observance of legal forms, not only because, being firm in their purpose of extinguishing the Slave Trade, they are anxious to facilitate, as much as possible, the persecution of the slave-dealers, but also because, in cases of contraband trade, moral conviction can, on certain occasions, supply the want of patent proofs, which it is so difficult to obtain.

Therefore after requesting that your Lordship will inform your Government of the efforts which are being made by the Government of the Queen, my Sovereign, to prevent the Slave Trade, I beg to express to your Lordship my hope that, in order to prevent the contraband of manufactured goods which the vessels proceeding from Gibraltar are carrying on, with so much injury to the Spanish revenue, the Governor of that fortress, bearing in mind the same principle which guides the acts of Her Majesty's Government with regard to the Slave Trade, will be less rigorous whenever there being a moral conviction of the perpetration of the crime, it may appear to him that the proceedings have not been adjusted to the most strict legal forms.

I have, &c.
(Signed) FRANCO. LERSUNDI.

Inclosure 2 in No. 417.

Señor Queipo to General Lersundi.

(Translation.)

Most Excellent Sir, *Madrid, May* 2, 1853.

THE Governor and Captain-General of the Island of Cuba wrote, under date of the 29th of March last, to the Presidency of the Council of Ministers, amongst other things, as follows:

"Subsequently to the landing of Bozal negroes which I reported to your Excellency in my communication of the 11th instant, and to which I referred in my subsequent despatch of the 21st ditto, forwarded through the same channel in reply to the Royal Order of the 11th of February last, relative to the repression in general of this reprobate Traffic, another disembarkation of Bozal negroes has taken place between the district of Cardeñas and the point called La Siguapa. Notwithstanding the secrecy with which the landing was carried into effect, which took place on the night of the 11th to the 12th instant, and although the owners of the vessel had adopted the most exquisite precautions for the immediate

distribution of the cargo and the disappearance of the vessel—so much so, that on the following morning at day-break, the latter was already reduced to embers, and the former had been distributed amongst the different parties concerned in the undertaking—very soon, however, the rumour of the transaction reached my ears.

"Feeling intimately persuaded that, if I confined myself to the strict observance of legal forms, I should achieve very little towards the detection of facts, and being well convinced of the absolute necessity of attaining my object at any cost, and of presenting undeniable results which might cause the good faith and noble zeal of Her Majesty's Government in the faithful execution of Treaties to stand out more strikingly; I found myself compelled to overlook any other consideration, and to adopt that line of conduct which might lead me to the attainment of the desired object. It was not long before the names of the owners of the vessel, of the captain of the same, and of several partners in the undertaking, were found out. Having once taken my determination, I could not hesitate in the adoption of the proper measures, and I dictated them therefore with a view to obtaining by terror, what it would have been a chimerical project to attain by other means, taking into consideration the state of things; I therefore gave immediate orders not only for the seizure of the Bozal negroes, carrying them out from the plantations where they might be and placing them at my disposal, but also for the arrest of the principals and their accomplices in the disembarkation. In order to give a greater impulse to these measures, I commissioned my Aide-de-camp, the Commandant Don José Andriani, and subsequently the Chief of the Staff, Brigadier-Major Don Joaquin Morales de Rada; and I have now the pleasure to inform your Excellency that I have seized already very nearly 100 Bozal negroes, thirty-four of whom were apprehended on a road of the district of Cardeñas, where they had been abandoned by their owners, very likely in the act of flying from the active persecution made of them. The proceedings respecting the whole transaction, which I shall in due course lay before the Pretorial Court of Justice, are being followed up with the same activity. It only remains for me to state to your Excellency, that the number of Bozal negroes who composed the cargo of the vessel in question, amounted to about 500 and odd, and that the vessel arrived at Siguapa without any impediment whatsoever, in spite of the activity of the English cruizers on the waters of this island. It may be asserted with full security, that although the British nation should increase her cruizers five-fold, their efforts would be unavailing if the authorities of the Island of Cuba did not exert themselves with so much activity and zeal in the persecution of the Slave Trade. I shall report to your Excellency, in due course, the final result of this case."

I communicate the above report to your Excellency by command of Her Majesty, for your information and guidance; and I have to add that a copy of your Excellency's communication of the 12th of April last, and of the note from the British Minister Plenipotentiary therein inclosed, has been sent to-day to the Captain-General of Cuba, instructing him to report on the subject alluded to in that note, if it be a different case from the one above referred to.

God preserve, &c.

(Signed) VICENTE VAZQUEZ QUEIPO,
Director-General.

No. 418.

Lord Howden to the Earl of Clarendon.—(*Received May* 31.)

My Lord, *Madrid, May* 25, 1853.

I HAVE procured from the Brazilian Minister here the names of two Brazilians, men of great capital, who are supposed to have gone to the Havana to establish themselves as slave-traders there, upon a large scale.

Their names are Antonio Augusto Botelho and Rodrigo José de Abreu.

If your Lordship should receive any information regarding them, in consequence of this indication, I should be glad if you would communicate to me, as the Brazilian Minister seems to have received the names of these two persons from his Government in perfect good faith.

I have, &c.
(Signed) HOWDEN.

No. 419.

The Earl of Clarendon to Lord Howden.

My Lord, *Foreign Office, June* 2, 1853.

I TRANSMIT herewith copies of a correspondence which has been going on for the last four years between Mr. Forbes, Her Majesty's Consul at St. Jago de Cuba, and the authorities of that place respecting a negro woman named Nancy, who was born in Jamaica, and was in the year 1825 brought as a slave from thence to St. Jago de Cuba, where she died in October 1852, leaving three sons, one of whom had been emancipated by his master, and the other two remain in slavery.

Your Lordship will learn from the inclosed papers that Mr. Forbes has established, by an affidavit which he transmitted to the Governor of St. Jago de Cuba on the 15th March, 1849, the following facts, namely, that Nancy had been a slave in Jamaica from her childhood; that she had been illegally carried away from that island to Cuba in October 1825, by which violation of British law the rights of her previous owners became forfeited to the British Crown; and that consequently she and her sons were entitled to be set at liberty.

But it seems that the Captain-General of Cuba refuses to order the liberation of Nancy's sons, alleging that their mother's identity has not been proved, and that the Spanish tribunals are not bound to take cognizance of the British law by the provisions of which Nancy became forfeited to the British Crown; and Mr. Forbes states that he believes that this decision on the part of the Captain-General is founded upon an instruction which the Spanish Government sent to the authorities of Cuba last year when the Bahama negress Mary Anne Bethel was liberated, directing that no further applications of a similar kind for the liberation of British negroes should be granted.

I have to instruct your Lordship to bring this case before the Spanish Minister for Foreign Affairs, and to point out to his Excellency that the opponents of this negress's claim to freedom have failed to refute the testimony presented to the proper tribunals by Consul Forbes in proof of her identity, and of her forfeiture to the British Crown.

You will also express the hope of Her Majesty's Government that the Government of Spain will disavow such a harsh and indiscriminate instruction as that which Mr. Forbes supposes to have been sent from Spain to Cuba last year; and you will request the Spanish Minister to give directions for the liberation of the two sons of the woman in question, who are still held in slavery at Santiago de Cuba.

I have, &c.
(Signed) CLARENDON.

Inclosure in No. 419.

List of Inclosures in despatch of June 2, 1853, *to Lord Howden, respecting John and Joseph, the two Sons of the deceased Jamaica Negress Nancy, who was brought to Cuba from Jamaica as a Slave in the year* 1825, *and who died at St. Jago on the* 30*th of October*, 1852.

CONSUL FORBES to Viscount Palmerston; Santiago de Cuba, April 3, 1849. Six inclosures. (See Class B, presented 1849; No. 269, p. 363.)

Viscount Palmerston to Consul Forbes; June 11, 1849. (See Class B, presented 1849, No. 271, p. 367.)

Consul Forbes to Viscount Palmerston; Santiago de Cuba, September 17, 1849. Two inclosures. (See Class B, presented 1849, No. 272, p. 368.)

Consul Forbes to Viscount Palmerston; Santiago de Cuba, December 26, 1849. Nine inclosures. (See Class B, presented 1849, No. 274, p. 378.)

Consul Forbes to Viscount Palmerston; Santiago de Cuba, July 16, 1850. Six inclosures. (See Class B, presented 1850, No. 511, p. 787.)

Consul Forbes to Viscount Palmerston; Santiago de Cuba, December 31, 1850. Two inclosures. (See Class B, presented 1850, No. 515, p. 796.)

Consul Forbes to Viscount Palmerston; Santiago de Cuba, February 12, 1851. Four inclosures. (See Class B, presented 1850, No. 516, p. 797.)

Consul Forbes to Viscount Palmerston; Santiago de Cuba, December 28, 1851. Two inclosures. (See Class B, presented 1851, No. 629, p. 792.)

Consul Forbes to the Earl of Malmesbury; Santiago de Cuba, December 31, 1852. Six inclosures.

The Earl of Clarendon to Consul-General Crawford; Foreign Office, April 9, 1853.

Consul Forbes to Lord John Russell; Santiago de Cuba, March 26, 1853. One inclosure.

No. 420.

The Earl of Clarendon to Lord Howden.

My Lord, *Foreign Office, June* 3, 1853.

I HAVE received your Lordship's despatch of the 23rd ultimo, inclosing a copy of a letter addressed to you by the Spanish Minister for Foreign Affairs, containing a report from the Captain-General of Cuba as to the measures taken by him in consequence of a landing of slaves which took place at Siguapa on the 12th of March last. And I have to state that Her Majesty's Government approve of the answer which you returned to that communication.

I am, &c.
(Signed) CLARENDON.

No. 421.

The Earl of Clarendon to Mr. Otway.

Sir, *Foreign Office, June* 22, 1853.

WITH reference to my despatch to Lord Howden of the 31st of March last, on the subject of the complaint made by the Captain-General of Cuba of Mr. Crawford's behaviour towards him, I have to desire that you will state to the Spanish Government that I have received an assurance from Mr. Crawford that he will be scrupulously courteous in his communications with the Captain-General.

I am, &c.
(Signed) CLARENDON.

No. 422.

The Earl of Clarendon to Mr. Otway.

Sir, *Foreign Office, June* 27, 1853.

I HAVE received Lord Howden's despatch of the 23rd ultimo, inclosing a copy of a note addressed to him on the 14th ultimo by General Lersundi, tending to prove that the authorities in Cuba are in earnest in their endeavours to extinguish the Slave Trade; and I have to inform you that I approve of the answer which Lord Howden returned to that note.

I am, &c.
(Signed) CLARENDON.

No. 423.

The Earl of Clarendon to Mr. Otway.

Sir, *Foreign Office, June* 28, 1853.

I HAVE to inform you that on receipt of Lord Howden's despatch of the 16th of February last, I transmitted to Mr. Crawford, Her Majesty's Consul-General at Havana, copies of the letter from Count Alcoy which accompanied that despatch, and of the letter from M. Bertran de Lis, which was inclosed in your despatch to Lord Malmesbury of the 21st of November, 1852; and I instructed Mr. Crawford to send to me any observations which he might have to make upon the remarks contained in those letters as to the accuracy of some information respecting the disembarkation of the African negroes upon the south coast of Cuba, which Mr. Crawford had transmitted to the Captain-General of Cuba on the 25th of September and on the 23rd of December, 1852.

Having now received Mr. Crawford's reply, I have embodied the substance of it in the accompanying draft of a note which I have to instruct you to address to the Spanish Minister for Foreign Affairs.

I am, &c.
(Signed) CLARENDON.

Inclosure in No. 423.

Draft of Note to be addressed by Mr. Otway to the Spanish Minister for Foreign Affairs.

Sir,

I HAVE received the instructions of Her Majesty's Government to submit to your Excellency's consideration some observations in reply to the letter which the Count de Alcoy addressed to Lord Howden on the 14th of February last, denying the accuracy of the information conveyed to the Captain-General of Cuba by Mr. Crawford, Her Majesty's Consul-General at the Havana, relative to the disembarkation of African negroes at a place called Rio Zarza, on the southern coast of Cuba.

In the first place I have to observe that Mr. Crawford addressed to the Captain-General two statements respecting two separate infractions of the Treaty of 1835 by the landing of negroes at Rio Zarza, one of which took place about the 12th of September, 1852, and was reported to the Captain-General by Mr. Crawford on the 25th of September; the other occurred about the 14th of December last, and formed the subject of a letter which Mr. Crawford addressed to the Captain-General on the 23rd of that month.

Now it appears from the contents of Count Alcoy's letter to Lord Howden of the 14th of February, 1853, and also from a letter which

M. Bertran de Lis addressed to me on the 17th November, 1852, that the Spanish Government do not deny that they had received some information as to the infraction of Treaty which Mr. Crawford represented to the Captain-General on the 25th September, 1852, and which took place at Rio Zarza about the 12th of that month; and Her Majesty's Government are disposed to think that the denial contained in Count Alcoy's letter of the 14th of February does not refer to this first case, but to the second landing of negroes which occurred at this same place, and which was denounced by Mr. Crawford in his letter of the 23rd December last. That letter stated that 38 negroes, being a portion of a cargo which had been landed a few days before at Rio Zarza, were to be sent from Trinidad to Cienfuegos by the steamer "*Isabel*," which was to sail on the 26th December, and Count Alcoy has accused Mr. Crawford of having given this short notice of the expected disembarkation of negroes, because he knew that as Cienfuegos is more than forty leagues from Havana, it was impossible that orders could be sent from Havana by post so as to reach Cienfuegos before the arrival of the "*Isabel*," and because he therefore hoped to have a plausible ground for complaining that the Spanish authorities had neglected their duty in this matter.

Count Alcoy goes on to state that the zeal and activity of the Captain-General defeated this scheme, the Captain-General having sent off an officer, who managed by great exertion, and in spite of many obstacles, to arrive at Cienfuegos before the steamer, and who succeeded in demonstrating the incorrectness of Mr. Crawford's denunciation.

With regard to this statement, Mr. Crawford has informed Her Majesty's Government that he wrote to Mr. Fowler, the British Vice-Consul at Cienfuegos, by the same means of conveyance as that chosen by the officer above referred to, that is to say, by the ordinary mail which is sent by railway to Batabano, and from thence by steamer to Cienfuegos; and Mr. Fowler received Mr. Crawford's letter in time to watch the "*Isabel*," and to report the result to Mr. Crawford in a letter dated the 26th December.

The first inquiries then made by Mr. Fowler in this matter produced no information respecting the negroes on board the "*Isabel*," but four days afterwards he was informed that when that vessel arrived at Cienfuegos on the 26th of December there were ten negroes concealed on board who were taken out there, and sent by a lighter to an estate called Constancia; and he learnt that on her previous voyage the "*Isabel*" had brought from Trinidad to Cienfuegos about 60 negroes belonging to two individuals of that place, which were disposed of there.

Thus it appears that the information which was communicated to the Captain-General in Mr. Crawford's letter of the 23rd of December, 1852, was fully confirmed, for it appears that not only were negroes brought on the 26th of December from Trinidad to Cienfuegos on board the coasting steamer "*Isabel*," but a very short time before that date, 60 newly-imported Africans were brought to and disposed of at Cienfuegos, and these facts proved the truth of Mr. Crawford's statement that the Spanish authorities must have connived at these proceedings.

With regard to the statement in Count Alcoy's letter to Lord Howden of the 14th of February as to the inquiries set on foot by the Captain-General at Trinidad, and the examination of parties there having proved the incorrectness of the information contained in Mr. Crawford's representation relative to the supposed disembarkation of negroes at Rio Zarza, I am instructed by Her Majesty's Government to acquaint your Excellency that Mr. Crawford has received this statement without surprise, because it is quite notorious at the Havana that whenever it has happened that Commissioners have been appointed, or a Judge of the Royal Audiencia has been deputed, to investigate affairs of this nature, the result has been either that no one has been examined who was at all likely to know anything about the matter, or that those who did possess such knowledge would not disclose what they knew. And in point of fact Mr. Crawford states that no Commission of Inquiry held in Cuba upon cases of slave-trading has ever terminated in the conviction of the

offenders; but that on the contrary, it has been shown by numerous instances, that whenever a Commission is resorted to there is something to be covered, and the proceedings always terminate in such a way as to admit of arrangement by the slave-traders.

This statement is confirmed by what took place recently in Cuba upon the occasion of the scandalous violation of the Treaty of 1835, which was committed on the 12th of March last, when 1,100 or 1,200 negroes were landed at or near Cardeñas without the slightest hindrance on the part of the authorities. A Commission, consisting of a Brigadier-General, the Governor of Matanzas, and the Lieutenant-Governor of Cardeñas, was appointed by the Captain-General to investigate that case; but although it was marked by circumstances of unusual notoriety, the Commission was unable to prove the facts of the case. Instead of arresting and bringing before them Don Antonio Capo, the master of the vessel, his brother, the surgeon, and some of the crew, they merely arrested some four or five persons who were known to be interested in the expedition, and they very properly removed 290 or 300 of the Africans from one or more of the estates to which they had been taken after the landing. But the only known result of this inquiry has been that all the parties implicated who were arrested have been set at liberty, and it is made to appear on the proceedings that the 290 or 300 negroes captured constituted the whole number brought by the slaver in question. And with regard to these negroes it is to be remarked that at the end of April last there was nothing to show that they had been declared emancipados.

In conclusion, I am directed to observe to your Excellency that the above-mentioned facts lead Her Majesty's Government to doubt whether M. Bertran de Lis and the Count de Alcoy were borne out in asserting so positively as they have done in their letters of the 17th of November and of the 14th of February last, that the representations of Mr. Crawford as to the manner in which the Slave Trade is carried on in the Island of Cuba are not deserving of credit.

No. 424.

Mr. Otway to the Earl of Clarendon.—(*Received June* 28.)

My Lord, *Madrid, June* 20, 1853.

I HAVE observed with satisfaction that on every occasion on which I have seen General Lersundi, or the Under Secretary of State for Foreign Affairs, they have appeared most anxious to impress on my mind that the Spanish Government were doing their utmost, and even, as they pretend, committing illegalities to prove to Her Majesty's Government their sincere efforts to put a stop to the Slave Trade; and a few days ago the Under Secretary of State placed in my hands, to be returned to him, the original of the document a translation of which I have the honour herewith to inclose to your Lordship.

It is a despatch from the Captain-General of Cuba to General Lersundi, stating that, in obedience to orders received, no efforts will be spared on his part to put down this illegal and immoral Traffic.

I have not failed to avail myself of every opportunity to encourage and keep alive, by all means in my power, this feeling and tendency on their part.

I have, &c.
(Signed) L. C. OTWAY.

Inclosure in No. 424.

Señor Queipo to General Lersundi.

(Translation.)

Most Excellent Sir, *Madrid, June* 8, 1853.

THE Governor and Captain-General of the Island of Cuba has written last month to the President of the Council of Ministers, as follows:

"I have received the Royal Order of the 5th of March last, informing me that my despatches Nos. 20 to 23 inclusive had been confidentially communicated to Her Britannic Majesty's Legation, as a complement of the reply given by the Minister of Foreign Affairs to the note addressed to him by the aforesaid Legation on the 7th of November last, respecting several denunciations of landings of slaves, of which a copy was sent to me, stating besides that Her Majesty had been pleased to approve my conduct on the subject, trusting that I will spare no effort whatsoever to persecute incessantly the reprobated African Traffic, in order to avoid thereby serious conflicts with the British Government.

"I have the honour to state to your Excellency in reply, that I will continue with the same perseverance as heretofore in the fulfilment of the superior orders from Her Majesty the Queen, our Sovereign, and of the stipulations of the existing Treaties with England for the abolition of the Slave Trade, and that I will persecute, without any respite whatever, so illegal and immoral a Traffic, for the attainment of which purpose I will act with redoubled zeal and efficiency."

I communicate this to your Excellency, by orders of the Queen and according to instructions from the President of the Council of Ministers, for your information.

God preserve, &c.

(Signed) VICENTE V. QUEIPO,
Director-General of the Colonial Department.

No. 425.

Mr. Otway to the Earl of Clarendon.—(*Received July* 6.)

My Lord, *Madrid, June* 28, 1853.

I HAVE the honour of inclosing to your Lordship a translation of a note addressed to me on the 24th instant by General Lersundi.

In this communication his Excellency makes a general complaint against Mr. Crawford, Her Majesty's Consul-General at the Havana, for the facility with which that functionary takes up and denounces to the Captain-General of Cuba supposed disembarkations of negroes, and refers especially to a case which took place last October, when the brig "*Cora*" was at anchor in Cayo Frances, and according to Mr. Crawford about to effect a landing of Bozal negroes at a place called Los Perros.

I have, &c.
(Signed) L. C. OTWAY.

Inclosure in No. 425.

General Lersundi to Mr. Otway.

(Translation.)

Sir, *Madrid, June* 24, 1853.

IN order to give you a further proof in confirmation of what has been stated to the British Legation on several occasions, with respect to the want of foundation which is generally observed in the denunciations relative to landings of negroes, addressed by Mr. Crawford to the Captain-General of the Island of Cuba, owing to his giving credence to vague rumours which in the greatest number of instances turn out to be untrue, I now proceed to inform you of what took place in consequence of the British Consul at the Havana having informed General Ca[illegible], in October of last year, that the brig "*Cora*" was lying at anchor at Cayo Frances, and making preparations, according to Mr. Crawford's suppositions, for importing into the island a cargo of Bozal negroes at the place called Los Perros.

So soon as the Captain-General of the island received the denuncia-

tion I have just alluded to, he immediately ordered the most scrupulous investigations to be made by the proper authorities for the purpose of ascertaining whether the preparations for the disembarkation of slaves, which had been denounced by Mr. Crawford, were really being made; and he adopted, at the same time, the proper measures for the seizure of the negroes, should the denunciation be found correct.

The result of these investigations and precautionary measures proved that no vessel had arrived at the place which had been pointed out; and that the packet "*Canario*," which had also been represented by Mr. Crawford as fitting out for the Slave Trade at Trinidad, had taken her clearance for the Cape de Verd Islands, and put to sea in ballast, without any trace whatever having been found of her destination being the above supposed one.

The whole of this information was communicated by the Captain-General to the British Consul; but the latter having insisted upon the correctness of the above-mentioned landing of negroes having taken place, adding that two other vessels, the cutter "*Reforma*" and the barque "*Jasper*," were being fitted out for the Slave Trade on the northern coast opposite to Cardeñas, the proper authorities were required to report on the subject, and the result of their investigation was that the former of the two aforesaid vessels had been cleared out for Porto Rico, to which maritime department she belonged, and the latter had left for New York with a cargo of lawful merchandize.

However, the Captain-General being desirous of having the facts mentioned in the denunciation still more completely investigated, ordered the whole judicial proceedings instituted on the subject to be sent to the court of justice at Puerto Principe for the amplification of the investigations. It was done so accordingly, and General Cañedo has transmitted a copy of the decision of the aforesaid tribunal, whereby, in conformity with the opinion of the Queen's Advocate, the judicial proceedings were ordered to be closed, and an individual who had been arrested in consequence of the denunciation, and against whom no charge whatever could be proved, was ordered to be set at liberty.

Thus the incorrectness of the data on which Mr. Crawford founded his supposition of a violation of Treaties in the case in question has been most fully and completely demonstrated, and in consequence of this fresh instance of the levity with which the aforesaid functionary conducts himself in everything connected with the Slave Trade, I indulge in the hope that the Government of Her Britannic Majesty will bear in mind what I have stated above, when it will have to appreciate the information which Mr. Crawford may transmit to it, relative to the landing of Bozal negroes in the Island of Cuba.

I have, &c.
(Signed) FRANCO. LERSUNDI.

No. 426.

Mr. Otway to the Earl of Clarendon.—(*Received July* 6.)

My Lord, *Madrid, June* 30, 1853.

I HAVE the honour to acquaint your Lordship that, in obedience to the instructions contained in your Lordship's despatch of the 22nd instant, relative to the behaviour of Mr. Crawford towards the Capain-General of Cuba, I have stated to the Spanish Government that your Lordship had received an assurance from Mr. Crawford that he will be scrupulously courteous in his communications with the Captain-General.

I have, &c.
(Signed) L. C OTWAY.

No. 427.

The Earl of Clarendon to Mr. Otway.

Sir, *Foreign Office, July* 6, 1853.

I HAVE received your despatch of the 20th ultimo, inclosing a translation of a letter dated the 8th ultimo, addressed by the Spanish Colonial Minister to the Minister for Foreign Affairs, which had been communicated to you by General Lersundi, and in which is transcribed a letter addressed by the Captain-General of Cuba (Cañedo) to his Government, professing his determination to act "with redoubled zeal and efficiency against the Slave Trade."

I have to instruct you to say to General Lersundi that Her Majesty's Government have received this communication with satisfaction; and to express to him the earnest hope of Her Majesty's Government that the Captain-General may act up to his assurances.

I am, &c.
(Signed) CLARENDON.

No. 428.

Mr. Otway to the Earl of Clarendon.—(Received July 11.)

My Lord, *Madrid, July* 4, 1853.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 28th ultimo.

In conformity with the instructions therein contained, I have this day addressed to General Lersundi the note of which the draft was inclosed to me for that purpose, communicating to Her Catholic Majesty's Government certain observations in refutation of the statements made in Señor Bertran de Lis' note to me of the 17th of November, 1853, and in Count Alcoy's note to Lord Howden dated the 14th of February last.

I have, &c.
(Signed) L. C. OTWAY.

No. 429.

The Earl of Clarendon to Mr. Otway.

Sir, *Foreign Office, July* 12, 1853.

I HAVE received your despatch of the 28th of June, inclosing a copy of a letter addressed to you by General Lersundi complaining that Mr. Crawford, Her Majesty's Consul-General in Cuba, communicated to the Captain-General of Cuba, in October 1852, some information relative to several vessels said to be fitting out in the ports of Cuba for the African Slave Trade, which information the Captain-General afterwards discovered to be unfounded.

It appears, on reference to Mr. Crawford's despatches, that the representation to which General Lersundi refers was contained in a letter from Mr. Crawford to the Captain-General of the 9th of July, 1852, a copy of which was inclosed in Lord Malmesbury's despatch to you of the 10th of August last, and that the date of October is given by mistake in General Lersundi's letter to you, instead of July.

Her Majesty's Government have never received from the Havana any denial, on the part of the Captain-General, of the statements in question; and I have transmitted to Mr. Crawford a copy of your despatch of the 28th ultimo, for any observations which he may have to make in reply to General Lersundi's complaint.

In the meantime, I have to instruct you to communicate to the Spanish Minister for Foreign Affairs the information contained in the accompanying copies of despatches from the British Vice-Consul at Lagos, and

from the British Consul at Fernando Po,* showing that the "*Jasper*," one of the vessels which was denounced in Mr. Crawford's letter to the Captain-General of the 9th of July, 1852, and which is mentioned in General Lersundi's letter to you as being a legal trader, shipped in March last, at a place called Secco, in the Bight of Benin, a cargo of 300 African slaves, which have in all probability been already landed in Cuba.

I am, &c.
(Signed) CLARENDON.

No. 430.

Mr. Otway to the Earl of Clarendon.—(*Received July* 16.)

My Lord, *Madrid, July* 5, 1853.

I HAVE the honour to inclose to your Lordship herewith a translation of a note which I have just received from Her Catholic Majesty's Minister for Foreign Affairs, in answer to the one which, in obedience to the instructions conveyed to Lord Howden in your Lordship's despatch of the 2nd ultimo, I addressed to his Excellency on the 17th ultimo, claiming the restoration to freedom of the two sons of the deceased negress Nancy, who are still detained as slaves at Santiago de Cuba.

Your Lordship will perceive from this note that the Spanish Government enter into detailed explanations of the reasons which prevent their giving their liberty to these two negroes.

I have acknowledged the receipt of General Lersundi's communication in the note of which I likewise inclose a copy.

I have, &c.
(Signed) L. C. OTWAY.

Inclosure 1 in No. 430.

General Lersundi to Mr. Otway.

(Translation.)

Sir, *Madrid, June* 29, 1853.

I HAVE had the honour of receiving your note dated the 17th instant, in which you inclose a copy of the correspondence which has passed between the authorities at St. Jago de Cuba and the British Consul at that place, relative to a negro woman called Nancy, proceeding from Jamaica, as is pretended, and whose two sons are considered to be entitled to obtain their freedom.

On calling the attention of Her Majesty's Government to the refusal with which the British Consul's pretensions in the aforesaid instance have met on the part of the Captain-General of the Island of Cuba, you attribute the decision adopted on this case by the Spanish authorities to the instructions issued to them by Her Majesty's Government on a former similar occasion; and you finish by requesting, in consequence of instructions from your Government, that the aforesaid instructions be revoked, and that the sons of the negress Nancy be set at liberty.

Before entering into the discussion of the arguments which have been set forth as the foundation on which the representation made on the subject by the British Consul at St. Jago de Cuba is grounded, I beg to observe to you that Her Majesty's Government find, precisely in the case of the negress Mary Anne Bethel which has been quoted, a motive why the English Consul at the Havana ought to have abstained from bringing forward any such pretension.

The case of the negress Mary Anne is precisely similar to that of Nancy, now under discussion.

Her Majesty's Government thought, in the former case, as it thinks also at present, that there was no right to claim the slave in question;

* Nos. 5 and 63.

but, however, being desirous of giving a proof of regard and deference to the English Government, granted her freedom to the aforesaid negress, whose master was indemnified by the Treasury of the island. But on so doing, Her Majesty's Government took especial care to declare that the case in question ought never to be cited as a precedent, and such declaration was communicated to the British Legation, the silence of which on the subject could only be considered by Her Majesty's Government as an acknowledgment of our good wishes of preventing thereby the repetition of questions which, besides being painful to the Spanish Government, because they seriously affect the security of the owners of slaves, have, in reality, no influence over the suppression of the Slave Trade, which, after all, is the great object which the two Governments have principally in view.

The freedom granted to the negress Mary Anne was a special boon from Her Majesty, which cannot be adduced as a precedent for reclamations of a similar nature, as was stated to the British Legation on the 14th of November, 1851, in a note which was communicated to the Captain-General of the Island of Cuba, these being the only instructions which were transmitted to that functionary.

Now, confining myself to the case of the negress Nancy, I proceed to take into consideration the arguments set forth in the papers inclosed in your aforesaid note, for the purpose of proving that, even were it possible for Her Majesty's Government, which is not the case, for the reasons I have stated above, to comply with the wishes of the British Government with regard to the sons of the above-mentioned negro woman; yet there are not sufficient grounds nor reasons to justify a measure like the one which it is desired that General Cañedo should adopt.

The essential basis on which the representation of the British Consul at St. Jago de Cuba has been founded, is only the deposition of the negress Nancy herself, whose words, unsupported by any evidence whatever, have been considered as a sufficient foundation to look upon that negro woman as comprised in the case of the Act 5 George IV, which prohibited the exportation of slaves from the British colonies, and declared that such slaves as, in contravention to the aforesaid Act, should be exported to other foreign colonies, were forfeited in favour of the Crown.

Leaving aside the question of as to what extent the aforesaid English law is applicable in Her Catholic Majesty's dominions, I am of opinion that if such law were to be invoked in the present instance on behalf of the negress Nancy, it ought to have been previously proved that this negro woman proceeded, as she assured, from the Island of Jamaica; and so far from this being done, the authorities of that colony themselves have given conclusive proofs to the contrary, as appears from the certificate which the Government's Secretary of the aforesaid Island of Jamaica issued at the request of the British Consul.

In this document it is stated, that in the slave-registers no information whatever exists as to the negress Nancy, and that it is not known at what time she was imported, nor whether she was ever manumitted; and therefore the supposed origin of the aforesaid negress remains unsupported by proofs, and consequently the principal title is wanting for her being considered as a slave unlawfully exported from a British colony, and still less as a subject of Her Britannic Majesty unduly subjected to slavery.

Neither has any evidence whatsoever been produced as to the uninterrupted series of masters to whom the negress Nancy may have belonged from the first one, who is supposed to have carried her away from Jamaica; and still less has any proof been brought forward as regards Nancy's sons, as it was indispensable to do in order to prove the identity of their persons, therefrom resulting a total want of reasons on which the freedom of the slaves in question might be claimed.

As to the deposition of John Boileau Sorapure, of Kingston, who stated that he had known the negress Nancy as a maid-servant in the service of a sister of his in the aforesaid town, I cannot abstain from observing to you that the assertion of that single individual, so long as it is not supported by proofs of a different kind, has no force whatsoever,

and ought not to be admitted as an irrefutable testimony, as has been pretended by the British Consul; because to this effect, it would be required at least that the statement of the above-mentioned Sorapure should have been corroborated by the deposition of other witnesses, or by the exhibition of documents in support of his assertion.

Having so far demonstrated that in the case in question the reclamation of the British Consul at St. Jago de Cuba was perfectly groundless, I consider it my duty to express to you the regret of Her Majesty's Government at seeing that whilst they are making so many sacrifices in order to obtain, as far as possible, the total suppression of the Slave Trade, the British Consuls in the Island of Cuba are still dissatisfied with them, and bring forward highly dangerous reclamations in a country where slavery does exist, pretending to assume a character of protectors of negroes against the Spanish authorities, and giving rise to difficulties which can only be overcome by the constant decision of Her Majesty's Government to preserve, at all risks, their friendly relations with that of Her Britannic Majesty.

I avail, &c.
(Signed) FRANCO. LERSUNDI.

Inclosure 2 in No. 430.

Mr. Otway to General Lersundi.

Sir, *Madrid, July* 5, 1853.

I HAVE the honour to acknowledge the receipt this day of the note which your Excellency addressed to me on the 29th ultimo.

Your Excellency's communication will, without loss of time, be brought to the knowledge of the Government of the Queen, my Sovereign, who will learn, I am convinced, with great regret, the unfavourable decision come to by Her Catholic Majesty's Government as regards the restoration to freedom of the two sons of the deceased negress Nancy, who are still held in slavery at St. Jago de Cuba.

I avail, &c.
(Signed) L. C. OTWAY.

No. 431.

The Earl of Clarendon to Mr. Otway.

Sir, *Foreign Office, July* 18, 1853.

I TRANSMIT herewith copies of three despatches* which I have received from Mr. Crawford, Her Majesty's Consul-General at Havana, stating the circumstances under which two cargoes of Africans, one consisting of 684, and the other of 280 persons, were landed towards the end of May last at Cayo Frances on the north, and at Bailen on the south side of Cuba, and were afterwards disposed of as slaves in the interior of the island, with the cognizance of the local authorities.

I have to instruct you to communicate to the Spanish Minister for Foreign Affairs those portions of the inclosed despatches which state the particulars of these two disembarkations of slaves.

I am, &c.
(Signed) CLARENDON.

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* See Nos. 541, 542, and 544.

No. 432.

The Earl of Clarendon to Mr. Otway.

Sir, *Foreign Office, July* 23, 1853.

WITH reference to your despatch of the 17th of September last, which inclosed a copy of a letter from Señor Bertran de Lis, informing you that the Captain-General of Cuba had been directed to communicate to the Mixed Court of Justice at Havana the information referred to in Articles V and VI of Annex C to the Treaty of 1835 respecting the number of emancipated negroes who have received their letters of freedom, I transmit herewith a copy of a despatch* which I have received from Her Majesty's Consul-General at Havana, by which it appears that the Mixed Court has not yet been authorized to furnish the information in question; and I have to instruct you to address a note respecting this matter to the Spanish Minister for Foreign Affairs, and to state to his Excellency that Her Majesty's Government are at a loss to understand how it has happened that the assurances contained in M. Bertran de Lis' letter to you of the 9th of September last have not been fulfilled.

I am, &c.
(Signed) CLARENDON.

No. 433.

The Earl of Clarendon to Mr. Otway.

Sir, *Foreign Office, July* 23, 1853.

I TRANSMIT herewith a copy of a despatch† which I have received from Mr. Crawford, Her Majesty's Consul-General at Havana, stating that since the beginning of June last there had been a manifest difference in the character of the measures adopted by the Government of Cuba, in order to check the excessive increase of the Slave Trade.

I have to instruct you to inform the Spanish Minister for Foreign Affairs that Her Majesty's Government have learnt with satisfaction that General Cañedo appears at length to be endeavouring to suppress the Slave Trade, which under his Government had reached such an alarming and almost unprecedented height.

You will state to his Excellency that Her Majesty's Government are convinced that this improvement in the administration of the Government of Cuba is only to be attributed to the more energetic instructions which have been sent by the Spanish Government to the Captain-General of that island.

You will say that Her Majesty's Government had intended that you should accompany the communication to the Spanish Government of the facts referred to in my despatch of the 18th instant by a strong representation with regard to the increase of the Slave Trade in Cuba and the consequent inevitable disturbance of the friendly relations between Great Britain and Spain; but you will state that, under the circumstances mentioned in the inclosed despatch, and in another despatch‡ which I have received from Mr. Crawford, reporting the imprisonment of Don Julian Zulueta, Her Majesty's Government have instructed you to suspend those remonstrances.

I am, &c.
(Signed) CLARENDON.

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* See No. 543. † See No. 552. ‡ See No. 549.

No. 434

The Earl of Clarendon to Mr. Otway.

(Extract.) *Foreign Office, July* 23, 1853.

WITH reference to Lord Howden's despatch of the 18th of March last, I transmit herewith a copy of a despatch* which I have received from Mr. Crawford, Her Majesty's Consul-General at Havana, replying to the observations upon his report as to the case of the "*Lady Suffolk*," which were contained in Count Alcoy's note to Lord Howden of the 15th of March.

And I have to instruct you to address a note to the Spanish Minister for Foreign Affairs, communicating to his Excellency the substance of Mr. Crawford's reply.

No. 435.

The Earl of Clarendon to Mr. Otway.

Sir, *Foreign Office, August* 3, 1853.

LORD HOWDEN'S despatch of the 22nd of March last, inclosed a copy of a letter from the Count de Alcoy, dated the 17th of March, denying the accuracy of a list drawn up by Her Majesty's Consul-General in Cuba, which had been communicated to the Spanish Government by Lord Howden, and which stated the numbers of the African negroes imported into Cuba during the year 1852.

Having transmitted to Mr. Crawford a copy of Count Alcoy's letter of the 17th of March, and having directed him to report to me any observations which he might have to make thereupon, I have now to transmit to you Mr. Crawford's reply;† and I have to desire that you will communicate to the Spanish Minister for Foreign Affairs the facts alleged by Mr. Crawford in support of his original statement, a copy of which accompanied my despatch to Lord Howden of the 25th of February last; and you will add that it appears to Her Majesty's Government that Mr. Crawford has satisfactorily established the general accuracy of his list, although he has admitted that he may have overestimated the amount of unascertained landings of negroes during the year 1852.

I am, &c.
(Signed) CLARENDON.

No. 436.

The Earl of Clarendon to Mr. Otway.

Sir, *Foreign Office, August* 16, 1853.

I TRANSMIT herewith, copies of two despatches‡ which I have received from Mr. Crawford, Her Majesty's Consul-General at Havana, inclosing a copy of a letter which he addressed by my direction to the Captain-General of Cuba, respecting his refusal to allow two liberated African women to remain in Cuba, and a copy of the Captain-General's answer, stating that if Mr. Crawford should again write to him on a similar subject, his letters will be returned.

I have to instruct you to transmit to the Spanish Minister for Foreign Affairs, copies of the two above-mentioned letters, and to state to his Excellency that Her Majesty's Government hope that language so discourteous not only to the British Consul-General, who had given no cause for it, but also towards Her Majesty's Government, will meet with the reprobation which it deserves, from the Spanish Government.

I am, &c.
(Signed) CLARENDON.

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* See No. 537. † See No. 540. ‡ See Nos. 538 and 557.

No. 437.

Mr. Otway to the Earl of Clarendon.—(*Received August* 16.)

My Lord, *San Ildefonso, August* 8, 1853.

I HAVE the honour to transmit to your Lordship herewith, translation of the rejoinder of the Spanish Government to the note which, in obedience to the instructions contained in your Lordship's despatch of the 28th of June last, I addressed to General Lersundi, upon the subject of the charges brought by Señor Bertran de Lis and by Count Alcoy against Mr. Consul-General Crawford.

I have, &c.
(Signed) L. C. OTWAY.

Inclosure in No. 437.

General Lersundi to Mr. Otway.

(Translation.)

Sir, *San Ildefonso, July* 25, 1853.

I HAVE received the note which you were pleased to address to me under date of the 4th instant, wherein, according to the instructions of your Government, you make some observations, in reply to the note of the 14th of February last, addressed by my predecessor, the Count of Alcoy, to Lord Howden, with regard to a supposed landing of Bozal negroes at Rio Zarza, which was denounced by Her Britannic Majesty's Consul at the Havana.

Although the subsequent information communicated by Mr. Crawford to your Government on this subject is drawn up with the same vagueness and the same spirit towards the authorities of the Island of Cuba which predominate in almost every one of his reports, and although I observe, with regret, that full justice is not done to the loyal and persevering efforts of the Spanish Government to persecute the Slave Trade, notwithstanding the numerous proofs and documents which it has frequently had the pleasure of transmitting to the British Legation, in testimony of the good faith and sincere will by which it is animated on this matter; yet I am going to reply to every one of the points contained in your note with the view that the Government of which you are the Representative may acquire the conviction that Her Majesty's Government, although struggling in this affair with almost insurmountable difficulties, is not discouraged from its purpose of demonstrating that it is in the right on this question, while it entertains the hope that at some future period justice will be done to its conduct.

You observe in your note, in the first place, that there were two cases of landing of negroes at Rio Zarza, the one on the 12th of September, 1852, and the other on the 14th of December last; and that, according to Count Alcoy's note above mentioned, and to the one which was addressed to you by Señor Bertran de Lis on the 17th of November of last year, the Spanish Government did not deny, at that time, that it had received some information respecting the aforesaid landing, wherefrom you suppose that the denial contained in the above-cited note from Count Alcoy does not refer to the former of the two aforesaid cases, but to the latter one, denounced by Mr. Crawford, and relating to 38 negroes supposed by that functionary to have been sent from Trinidad to Cienfuegos in the steamer "*Isabel*."

Even supposing that the aforesaid observation were correct, I cannot well understand the inference which you draw therefrom, since I cannot suppose that, because in the aforesaid note of the 14th of February addressed to you, it is avowed, with the most perfect good faith, that some intelligence of the occurrence in question, namely, of the denunciation made by Mr. Crawford to the Captain-General, had reached Her Majesty's Government, and because instructions were issued to the aforesaid Spanish

functionary directing him to make the most scrupulous investigations into the matter, and the assurance was given that in case of the fact being true the offenders would be punished with the utmost rigour of the law, there can be any reason for drawing the inference, as you appear to do in your note, that, since we do not deny the fact, we implicitly acknowledge that there was a violation of the Treaty in the landing in question. What we did at that time, with our accustomed circumspection, was to suspend forming any judgment on the matter until we should receive from the Captain-General the information on the subject which we promised, in the aforesaid note, would be communicated to Her Britannic Majesty's Legation.

There is, therefore, in this conduct nothing, in my opinion, which involves either a tacit or an explicit confession of any violation of Treaties, because we could by no means confess what we were ignorant of. And so much was this the case, that on the 14th of February last my predecessor, Count Alcoy, hastened to communicate to Lord Howden the information respecting the above-mentioned occurrences which was received from the Captain-General of Cuba; and in the note of that date, one of the two which you quote, it is very clearly expressed that the cases of landing denounced by Mr. Crawford were, not one, but two in number.

With regard to the former of these cases I consider it useless to repeat what was extensively stated by this office to Lord Howden in the aforesaid note of 14th of February, wherewith numerous documents, and even the Captain-General's despatches, in original, respecting the supposed landing of negroes at Rio Zarza, were transmitted to his Lordship, stating, at the same time, to the British Legation that the voluminous collection of papers relative to that case existed, in original, at this office.

From all these papers it appeared that there was no truth whatever in the landing in question, and their perusal imparted the conviction that no means or effort whatever had been spared, on the part of Her Majesty's functionaries, to the effect of elucidating the truth of the denounced fact, as was fully proved by the judicial investigations which had been instituted by the Lieutenant-Governors of Sancti Spiritu and of Trinidad, and by the depositions of upwards of thirty individuals belonging to the class of land-holders, workmen, and other persons of different stations in life.

Lord Howden's reply, as was to be expected from his Lordship's enlightened judgment, was fully satisfactory to Her Majesty's Government. In his note of the 16th of the same month—that is to say, two days after having received the aforesaid communication from this office—his Lordship hastened to return thanks for the documents which had been transmitted to his Lordship in original, stating at the same time, in an expressive manner, his satisfaction at the efforts made by Her Majesty's functionaries in Cuba for the persecution of the Slave Trade, and expressing the hope that, "with such untiring perseverance, and such undeviating rectitude of intention, as shown in the aforesaid documents, that Traffic might be soon completely extinguished."

As to the latter of the aforesaid denunciations made by Mr. Crawford on the 23rd of December of last year, to which you refer, relative to a further landing of 38 negroes who formed part of a cargo which, a few days before, had been landed at Rio Zarza, and who were to be conveyed from Trinidad to Cienfuegos by the steamer "*Isabel*," it was stated to Lord Howden, in the same aforesaid note of the 14th of February, that the landing in question, which ought to have taken place at forty leagues' distance from the capital, was denounced by Mr. Crawford only three days before its being carried into effect, perhaps with the intention that the difficulty in transmitting orders by the ordinary post, in so short a space of time, and the obstacles which therefore prevented the immediate ascertainment of the fact, might afford a pretext to that British functionary for further accusations and complaints. But the activity and zeal of the Captain-General, at the cost of great fatigue and no little expense, succeeded in sending a trusty officer to Cienfuegos with such diligence, that he arrived at that place before the "*Isabel*," and as soon as this steamer arrived there, a scrupulous search was made on board before allowing any person to leave the vessel. Neither any Bozal negroes were

found on board, nor anything nor trace whatsoever which might lead to the presumption that they had been clandestinely removed.

The Captain-General transmitted to this office, on that occasion, a list of the passengers who were found on board the "*Isabel*," and a certified copy of the judicial investigations made into the matter, which proved that there was no truth whatever in the supposed landing in question.

Mooting anew this question, which seemed to have been settled by Lord Howden's satisfactory reply, and by the numerous data and proofs which were at that time brought forward, you state that, although, from the first investigations made by Mr. Fowler, the Vice-Consul at Cienfuegos, immediately after the arrival of the steamer "*Isabel*," it did not appear that there were any negroes on board, it is now supposed that, four days after—that is to say, when the Commissioner sent by the Captain-General to make the investigations above alluded to was no longer at Cienfuegos—the aforesaid vessel conveyed 10 negroes, who were kept hidden on board, until an opportunity was found of conveying them to a neighbouring plantation, and that the "*Isabel*," on her preceding voyage, had carried from Trinidad to Cienfuegos about 60 negroes belonging to two individuals.

I appeal to your own good faith, requesting you to judge whether such a vague information, which shows, as the consequence of an exaggerated zeal, the constant intention, on the part of Her Britannic Majesty's Consul in Cuba, of setting forth accusations against the Spanish authorities in that island, can possibly invalidate the positive and evident proofs which have been brought forward demonstrating that the landing in question was utterly devoid of truth.

But by your mooting this question anew you offer to me an opportunity of communicating to you the further data which have been subsequently received from the Captain-General, relative to the aforesaid denunciation of Mr. Crawford, respecting the 38 negroes whom he stated had been landed at Cienfuegos by the steamer "*Isabel;*" and I will point out to you, at the same time, a disagreeable incident which has taken place on this occasion, and which, I have no doubt, your Government and you yourself will learn with regret.

From the above-mentioned judicial proceedings, it appears that a certain John Quesseil, calling himself a person commissioned by Her Britannic Majesty's Consul at the Havana "for the purpose of watching over the interests of his nation, and the good faith of the two nations in their compacts" (these being the genuine words used by him in his letter addressed to the Governor of Cienfuegos), denounced a landing of 273 negroes at Rio Zarza, 38 of whom he supposed to have been brought over in the steamer "*Isabel*," and to have been hidden in the private house of Don Juan Ferry; adding, that the consignee of the whole cargo was Don Salvador Castro, of Trinidad.

The aforesaid Quesseil finishes his letter with the following words:

"Her Britannic Majesty's Consul, who has entrusted this commission to me, will be made acquainted with the barefacedness with which our national compacts are violated by the degraded public officers of one nation, to the extraordinary injury of her ally."

It is not my intention to enter at this moment into any observations respecting this new and disagreeable incident, which will be tried before the tribunals according to the laws, but only to call your attention to the singular conduct of Mr. Crawford, who, besides pretending to assume every kind of attributions and of interference in questions relating to negroes, considers himself authorized, contrary to the provisions of the laws, to delegate officially and publicly his own powers to other agents, and such kind of agents as that of which Quesseil seems to be. At all events, notwithstanding the anonymous form of this denunciation, the outrageous language of its author, and the illegality of his commission; and although purposing to institute judicial proceedings against Quesseil for those misdemeanours; the authorities of Cienfuegos were still willing to give a proof of their zeal for the extinction of the Slave Trade, by listening even to such informal reports made by an unknown individual.

A scrupulous search was therefore made in the house of Don Juan Ferry, but nothing was found. Don Salvador de Castro and several other witnesses were summoned to appear before the tribunal, and, from their depositions, no trace whatever of any landing of negroes could be detected. On the other hand, the denouncer Quesseil did not appear before the tribunal there to throw some brighter light upon, nor even to confirm, his denunciation. But the Royal Court of Justice being desirous of carrying still farther the investigations, directed further proceedings to be also instituted at Sancti Spiritu, but with no better success, since all the witnesses who were summoned to give evidence were ignorant of any such importation of Bozal negroes.

The denunciation appearing therefore to be untrue—a conviction which was strengthened, moreover, by the disappearance of the denouncer—the Royal Court of Justice of Puerto Principe having taken the opinion of the Queen's Advocate, which is annexed to the aforesaid judicial proceedings, determined that this trial should be closed at once, and that this decision should be communicated to the Lieutenant-Governor of Cienfuegos, that he might annex it to the incidental legal proceedings instituted there against Quesseil on the charges of outrage to the authorities, and of assuming an illegal investiture.

It only remains for me now to reply to the last point mentioned in your note, namely, the landing which took place on the 12th of March last in the vicinity of Cardeñas, and alluding to which you state the number of negroes landed on this occasion to have been 1,200, carried in one single vessel—a circumstance which appears to be unlikely; whilst, according to the reports from the Captain-General, the number of slaves really landed on the occasion in question did not amount to half the aforesaid one.

The information sent by General Cañedo, under date of the 29th of March, on this subject, was communicated to the British Legation in due time, and it appeared therefrom that the landing in question had been carried into effect with great secrecy, and that the owners of the slaves had adopted the most exquisite precautions for the immediate distribution of the cargo, and the disappearance of the vessel, the latter of which was burned; and it also appeared that the Captain-General, being anxious to discover, at any cost, what had become of the Bozal negroes, commissioned for this purpose one of his aides-de-camp, and not still satisfied with this, he entrusted the same commissioned to the Superior Chief of the Staff, Brigadier Don Joaquim Morales de Rada, and that the Captain-General carried on this occasion his zeal even so far as to outstep his powers, and attack private property, by causing about 300 of the aforesaid Bozal negroes to be taken out of the plantations where he knew they had been concealed, and directing, moreover, the authors and accomplices in the landing to be arrested. This, as I am sure you will acknowledge, is carrying things far beyond the mark of our obligations according to Treaties. Unfortunately, these efforts, so far from their being appreciated in their just value, appear to afford a pretext for fresh remonstrances addressed to the Spanish Government, very likely because the aforesaid functionary did not go on breaking into private houses and making further searches, until he should have discovered, at any cost, the 1,200 negroes, which is the exaggerated number which Mr. Crawford chose to quote in his denunciation.

I leave it for your consideration to judge whether it can be possible for our Governments to come to an understanding on this question, when, if the Bozal negroes who have been landed are seized, Mr. Crawford remonstrates because they are not seized in sufficient number, or because the authors of the landing are not arrested; and if the denounced fact turns out to be incorrect, it is then pretended that there has not been good faith in the investigations.

It has been frequently stated to the British Legation, and I cannot abstain from repeating it now with the same loyalty and frankness used by my predecessors in office, that the Spanish Government does not think that the Slave Trade has been completely extinguished in the Island of Cuba. Unfortunately the attainment of this object is not depending on the Spanish Government's will; and when it is evidently seen that the

efforts of this Government are not always efficient enough to prevent contraband goods being imported into the Peninsula, to the great detriment of the interests of the revenue, how can it be pretended that the action of the authorities should always be sufficient in Cuba to prevent that other kind of contraband traffic which offers so strong an incentive to speculation and covetousness, and which is rendered still easier by the circumstances of the Island of Cuba and its extensive coasts?

But the Spanish Government has at the same time offered to do everything in its power to persecute and extinguish the Slave Trade; and being firmly determined to attain this object, it has dismissed or suspended from their functions officers of high rank, on the mere suspicion of their having had some connivance with that Traffic. Private houses and plantations have been forcibly searched, for the purpose of taking out of them Bozal negroes by main force; several of the authors and accomplices of so unlawful a Traffic have been arrested; and, finally, all denunciations made by Mr. Crawford, however incorrect or exaggerated, as they have generally turned out to be, have been attended to with the greatest efficiency and activity.

But all this, which has been and is being done with the best possible goodwill and the most firm decision, does not offer to us any security that it will satisfy the Government of Great Britain so long as that Government will not listen with some caution to the information which is addressed to it by those persons who take advantage, to make thereof their own profit, of the noble feelings which induce England to persecute everywhere the Traffic in Slaves; and so long as it gives full credence to a functionary like Mr. Crawford, who has given such repeated proofs of his dislike towards everything which is Spanish, and of the want of prudence with which he gives rise to disagreeable discussions between the two Governments.

I avail, &c.
(Signed) FRANCO. LERSUNDI.

No. 438.

The Earl of Clarendon to Mr. Otway.

Sir, *Foreign Office, August* 17, 1853.

I TRANSMIT herewith a copy of a despatch* which I have received from Mr. Crawford, Her Majesty's Consul-General at Havana, inclosing copies of a letter which he addressed to the Captain-General of Cuba, and of the answer which he received thereto, respecting the landing of 600 Africans on the Isle of Pines, and calling the attention of Her Majesty's Government to the discourteous tone of that answer, and to the contemptuous treatment to which he is generally exposed whenever he has occasion to denounce similar infractions of the Treaty of 1835 between Great Britain and Spain.

I have to instruct you to read to General Lersundi Mr. Crawford's despatch, and with reference to the complaints constantly made of that gentleman's want of courtesy, you will show General Lersundi Mr. Crawford's letter to the Captain-General, and you will ask his Excellency if it contains anything to warrant the insulting answer which Mr. Crawford received by direction of that functionary.

Her Majesty's Government are well aware that Mr. Crawford's vigilance in denouncing the Slave Trade has made him obnoxious to the Captain-General, and they deeply regret that there should exist so much cause for that vigilance, and that it should prove so utterly unavailing; but in endeavouring to secure the execution of the Treaty of 1835, Mr. Crawford has not exceeded the strict limits of his duty, and if the Captain-General of Cuba were really sincere in his professed determination to put down the importation of negroes, and to prevent the equipment of vessels for that Traffic, he would receive with thanks, and not

* No. 561.

with discourtesy, the information furnished by Mr. Crawford; he would act upon it, and not invariably neglect it as he does.

But at all events, Her Majesty's Government are entitled to expect that the Spanish Government will take measures for protecting Mr. Crawford against the studied ill-treatment which he now invariably receives from the Captain-General.

I am, &c.
(Signed) CLARENDON.

No. 439.

The Earl of Clarendon to Mr. Otway.

Sir, *Foreign Office, August* 18, 1853.

WITH reference to Lord Howden's despatch of the 12th of May, and to the concluding paragraph of General Lersundi's letter inclosed therein, which stated that, whatever might be the endeavours which the Captain-General of Cuba might make in order to suppress the Slave Trade, Mr. Crawford's personal opinions would lead him to represent those endeavours in an unfavourable light, I transmit herewith a copy of a despatch* which I have received from Mr. Crawford, stating that the Captain-General of Cuba cannot bring forward any facts to justify this aspersion of his official character.

I have to instruct you to communicate to General Lersundi the substance of the inclosed despatch; and in refutation of the charge against Mr. Crawford, you will refer to the contents of his despatches of the 21st and 25th of June, and to the communication founded thereupon, which you were instructed by my despatch of the 23rd ultimo to make to General Lersundi respecting the improvement which Mr. Crawford reported in General Cañedo's administration of the Government of Cuba.

I am, &c.
(Signed) CLARENDON.

No. 440.

Mr. Otway to the Earl of Clarendon.—(*Received August* 17.)

My Lord, *San Ildefonso, August* 10, 1853.

ON the receipt of your Lordship's despatch of the 12th ultimo, upon the subject of the complaints of the Captain-General of Cuba, that Mr. Crawford gives unfounded information as to vessels fitting out for the Slave Trade, I addressed to General Lersundi, as directed in the above despatch, the note of which I herewith inclose a copy.

I have now the honour to transmit to your Lordship copy of his Excellency's answer to that communication.

I have, &c.
(Signed) L. C. OTWAY.

Inclosure 1 in No. 440.

Mr. Otway to General Lersundi.

Sir, *Madrid, July* 17, 1853.

I HAVE the honour to inform your Excellency that I have received from my Government a despatch, acknowledging the receipt of a copy of the note addressed to me by your Excellency on the 24th ultimo, complaining that Mr. Crawford, Her Majesty's Consul-General in Cuba, communicated to the Captain-General of Cuba in October 1852, some information relative to several vessels said to be fitting out in the ports of Cuba for the African Slave Trade, which information the Captain-General afterwards discovered to be unfounded.

I am directed to observe to your Excellency that on reference to

Mr. Crawford's despatches, the representation to which your Excellency's above-mentioned note refers was contained in a letter from Mr. Crawford to the Captain-General of the 9th July, 1852, and that your Excellency has attributed the date of October to that communication by mistake.

Her Majesty's Government have never received from the Havana any denial on the part of the Captain-General to the statements in question, and I have received instructions to transmit to your Excellency the information contained in the inclosed copies of despatches from the British Vice-Consul at Lagos, and from the British Consul at Fernando Po, showing that the "*Jasper*," one of the vessels denounced in Mr. Crawford's letter of the 9th July, 1852, and which is asserted in your Excellency's note to me of the 24th ultimo to be a legal trader, shipped in March last, at a place called Secco, in the Bight of Benin, a cargo of 300 African slaves, which have in all probability been already landed in Cuba.

I avail, &c.

(Signed) L. C. OTWAY.

Inclosure 2 in No. 440.

General Lersundi to Mr. Otway.

(Translation.)

Sir, *San Ildefonso, July* 28, 1853.

I HAVE received your note, dated the 17th instant, in reply to the one which I had the honour to address to you on the 17th ultimo (and which I suppose is the note to which you attribute the date of the 24th), in which you acquaint me that the subject to which the said note refers was comprised in the communication addressed by Mr. Crawford to the Captain-General of the Island of Cuba on the 9th July, 1852, and not in that which that functionary addressed to the said authority in October of the same year, which you say I have erroneously cited.

Some brief explanations will suffice, in my belief, to persuade you that there was no error on my part in referring to the communication of Mr. Crawford of the month of October in my above-mentioned note of the 17th June.

The chief object of my note was to apprize you of the efficient steps taken by the Captain-General in consequence of the information sent by Her Britannic Majesty's Consul at the Havana, that the brig "*Cora*" was fitting out in Cayo Frances, to import into Cuba a cargo of Bozal negroes. From the scrupulous investigations, from the official inquiry drawn up on the subject, from the report given for the better enlightenment of the facts by the Courts of Justice of Puerto Principe, and from the orders given by the aforesaid tribunal, it appeared that the landing in question was false.

The inexactness of this denunciation became at the time a new motive of calling your attention to the facility with which Mr. Crawford gives credence to vague rumours of announcements of landing of slaves which are for the most part destitute of all foundation.

Mr. Crawford's communication of the 9th July, which you suppose is that to which this Department referred, is concerning five vessels which he pretended were fitting out in the ports of Cuba for the Slave Traffic.

To your note of the 2nd September, 1852, on this subject, this Department replied, on the 22nd of the same month, that the Captain-General would do all in his power to prevent the departure of such vessels as should be fitted out for the Slave Trade, and as a proof a copy was at that time transmitted to you of a communication from that authority, in which he stated that three of those suspicious vessels were seized by the Spanish authorities, and that a trial would be instituted in accordance with the laws.

Consequently, in my aforesaid note of the 17th June, the principal purport of which was to prove that the landing attributed to the "*Cora*" was untrue, I ought to have referred to the denunciation made by

Mr. Crawford in October, and not to that which was made by him on the 9th of July of the same year, respecting the preparations which he supposed several vessels were making for the Slave Trade.

With regard to the subject incidentally alluded to by you in your note that the barque "*Jasper*," according to information which you had received, and of which you forwarded a copy to me, had sailed from the United States to the coast of Africa, where it appears she had embarked 300 negroes, with the probable intention, as you say, of importing them into Cuba, I have little to add to that which I took occasion to state in my aforesaid note of the 17th June, that is, that the result of the inquiries instituted by the Captain-General, in consequence of Mr. Crawford's denunciation, was that the "*Jasper*" was cleared for New York with goods of licit commerce. If from thence she sailed to the coast of Africa under American colours, it was not in our power, as you very well know, to prevent it in a country where our jurisdiction and vigilance do not extend.

But what the Government will do, as it does under date of to-day, is strenuously to recommend the Captain-General of Cuba, should the "*Jasper*" return to the island, to subject her to renewed and scrupulous investigations, with a view to ascertain whether the expedition referred to by you was effected; and should it be proved that she is engaged even in this indirect manner in the illicit negro commerce, that he should proceed with all severity against the vessel and her owner.

I reiterate to you on this occasion the assurance that the Government will persevere in its determination of putting down, at every sacrifice, that Traffic; because it wishes to fulfil loyally and in good faith the stipulations of the Treaty, and because it desires very cordially that this perpetual cause of difficulties between the two Governments may disappear, to which the excessive zeal of some British functionaries contributes in no small degree. But Her Majesty's Government also flatters itself that if sometimes, although seldom, the result does not correspond to its efforts, it has at all times been able to prove that it omits neither means nor sacrifice, even to the outstepping of the obligations imposed by the compact, to extirpate the Slave Trade in the Spanish dominions.

I avail, &c.

(Signed) FRANCO. LERSUNDI.

No. 441.

The Earl of Clarendon to Mr. Otway.

(Extract.) *Foreign Office, August* 24, 1853.

I ABSTAIN from entering into a refutation of the charges made against Mr. Crawford by the authorities of Cuba, because several of them have been met in my recent despatches, and because I am unwilling to increase irritation, or to disturb those friendly relations between the two countries which it is the anxious wish of Her Majesty's Government to maintain; but there are accusations, some of a trivial, and others of a grave character, against Mr. Crawford, which it is impossible for me to leave unnoticed.

Mr. Crawford has been strictly enjoined to observe the utmost courtesy in his communications with the Captain-General of Cuba, and respect for his authority, and he has promised to obey those instructions. Copies of his correspondence with the Captain-General are regularly transmitted to this office, and if Mr. Crawford's letters had contained any disrespectful expression, or if he had exceeded his duties, General Lersundi may be assured that such a departure from his instructions would have met with the reproof it deserved; but these offences do not appear to have been committed.

General Lersundi, however, says that, in order to provoke conflicts and to create difficulties, Her Majesty's Consuls in Cuba, and Mr. Crawford in particular, endeavour to arrogate to themselves diplomatic functions and privileges, requiring to be addressed in a style that apper-

tains to Ministers, and putting forward their pretensions in language the most disrespectful, which is that generally used by them.

Her Majesty's Government having no knowledge of such pretensions, nor of the documents in which they may have been urged, will be extremely obliged to General de Lersundi if he will furnish them with the copies that must be in his possession, and with any other evidence of disrespect on the part of Her Majesty's Consuls towards the Captain-General, in order that Her Majesty's Government may judge of the measures necessary to be taken.

Mr. Crawford is also charged with publishing in foreign newspapers reports the most unfavourable to the Captain-General, with the object of lowering his reputation and weakening the means upon which he reckons for the good government of the island; and it is further stated that Mr. Crawford has carried his audacity to the point of endeavouring to suborn respectable Spanish functionaries with the probable object of dishonouring them afterwards.

Now, these are accusations of a character so grave and important, that Her Majesty's Government are convinced they would not have been brought forward by General Lersundi unless he had in his hands complete and well substantiated evidence of their correctness, and they are equally convinced that he will not hesitate to place Her Majesty's Government in full possession of that evidence; and they ask it not alone with reference to Mr. Crawford, but for their own honour, as Her Majesty's Government cannot for one moment allow it to be supposed that they would retain in the public service an officer justly accused of undermining the authority of the Captain-General, or of degrading his country and his office by attempts to bribe the functionaries of Her Catholic Majesty.

They feel sure, however, that General Lersundi will admit the urgency of the request you are now instructed to make, and that he will furnish to you all the proofs we are entitled to demand with the least possible delay.

You will read this despatch to General Lersundi.

No. 442.

The Earl of Clarendon to Mr. Otway.

Sir, *Foreign Office, August* 27, 1853.

I TRANSMIT herewith a copy of a despatch* which I have received from Mr. Crawford, inclosing a copy of a letter which he has addressed to the Captain-General of Cuba respecting the emancipados, Escolastica, Carmen, and Catalina, and the condition of the emancipated classes in general.

And I have to instruct you to inform General Lersundi that, although the just and liberal decision of the Spanish Government with respect to the emancipados was made known to Her Majesty's Government in the month of March last, no notice whatever appears to have been taken of it by the authorities in Cuba; and the state of this unfortunate class is as grievous as ever.

I am, &c.
Signed) CLARENDON.

No. 443.

The Earl of Clarendon to Mr. Otway.

Sir, *Foreign Office, August* 27, 1853.

I TRANSMIT herewith a copy of a despatch† which I have received from Mr. Crawford, Her Majesty's Consul-General at Havana, reporting the proceedings of a Spanish officer named Adolfo, who was sent by the

* No. 568. † No 566.

authorities of Havana to arrest the crew of a vessel called the "*Nueva Empresa*," which had landed a cargo of Africans at Cayo Cortez.

And I have to instruct you to inform General Lersundi of the good conduct and firmness shown by Lieutenant Adolfo in resisting the opposition and open violence of the slave-traders in the district of Pinardel Rio.

I am, &c.

(Signed) CLARENDON.

No. 444.

Mr. Otway to the Earl of Clarendon.—(Received September 2.)

My Lord, *Madrid, August* 25, 1853.

IN conformity with the instructions contained in your Lordship's despatch of the 23rd ultimo, I addressed a note to General Lersundi, relative to the apparent non-fulfilment on the part of the Spanish Government, as communicated to me by Señor Bertran de Lis in his note of the 9th of September last, of the assurance that the Captain-General of the Havana had been directed to communicate to the Mixed Court of Justice at the Havana, for the information referred to in the Vth and VIth Articles of Annex C to the Treaty of 1835, respecting the number of emancipated negroes who have received their letters of freedom at the Havana.

General Lersundi, in his reply, translation of which I have the honour to inclose, informs me that the Captain-General of Cuba, under date of the 8th of November last, had reported, with reference to the orders which had been addressed to him on this subject, that even though the Mixed Commission had not at that date, nor indeed had ever, asked him for these statements, he should obey the directions he had received.

I have, &c.

(Signed) L. C. OTWAY.

Inclosure in No. 444.

General Lersundi to Mr. Otway.

(Translation.)

Sir, *San Ildefonso, August* 18, 1853.

IN reply to the note which you were pleased to address to me, under date of the 8th instant, relative to the returns of emancipated negroes referred to in Articles V and VI of the Annex C to the Treaty of 1835, I have the honour to state to you that the Captain-General of the Island of Cuba informed this Office, on the 8th of November, 1852, in reply to the instructions which had been sent to him on the subject, that, although the Mixed Court of Justice at the Havana, had hitherto never asked from him any such returns, he would fulfil the orders given to him to that effect.

It is very possible that the subsequently-adopted measure of granting freedom to all emancipated negroes may have induced the aforesaid functionary to believe that the returns in question were no longer required, the Mixed Court of Justice perhaps concurring with him in such belief; or that this may be, perhaps, one of those questions originated by the excessive zeal of Her Britannic Majesty's Consul at the Havana, for the purpose of giving importance to his position, or of raising fresh causes of molestation to the authorities of the island. Otherwise, it would certainly be a matter of astonishment that, when the Spanish Government has adopted so important a measure with regard to emancipated negroes,

without minding the difficulties and not inconsiderable sacrifices which the execution of such measure must necessarily occasion, Mr. Crawford should think that even this is insufficient to put a stop to his complaints.

I avail, &c.
(Signed) FRANCO. LERSUNDI.

No. 445.

Mr. Otway to the Earl of Clarendon.—(*Received September* 2.)

My Lord, *Madrid, August* 27, 1853.

IN conformity with the instructions contained in your Lordship's despatch of the 23rd ultimo, directing me to inform Her Catholic Majesty's Minister for Foreign Affairs that Her Majesty's Government have learnt with satisfaction that General Cañedo appears, at length, to be endeavouring to suppress the Traffic in Slaves, which under his administration had reached such an alarming and almost unprecedented height, I have addressed a note to General Lersundi, of which I have the honour to inclose a copy.

I have, &c.
(Signed) L. C. OTWAY.

Inclosure in No. 445.

Mr. Otway to General Lersundi.

Sir, *San Ildefonso, August* 9, 1853.

IT is my agreeable duty to inform your Excellency that Her Majesty's Government have learnt with satisfaction that his Excellency General Cañedo appears at length to be endeavouring to suppress the Slave Trade, which, under his Government, had reached such an alarming and almost unprecedented height.

Her Majesty's Government are convinced that this improvement in the administration of the Government of Cuba is only to be attributed to the more energetic instructions which have been sent out by the Government of Her Catholic Majesty to the Captain-General of the island.

With the despatch upon which the present communication is founded, I received another one, upon the facts contained in which it was purposed to direct me to make a strong representation to your Excellency with regard to the increase of the Slave Trade in Cuba, and the consequent inevitable disturbance of the friendly relations between Great Britain and Spain; but under the circumstances mentioned to Her Majesty's Government in a despatch written at Havana towards the end of June last, and likewise in another despatch, reporting the imprisonment of Don Julian Zulueta, Her Majesty's Government have instructed me to suspend those remonstrances.

I have, &c.
(Signed) L. C. OTWAY.

No. 446.

Mr. Otway to the Earl of Clarendon.—(*Received September* 2.)

My Lord, *Madrid, August* 27, 1853.

IN obedience to the instructions contained in your Lordship's despatch of the 23rd ultimo, I lost no time in addressing to General Lersundi the note, copy of which I have the honour to inclose, communicating to his Excellency the substance of Mr. Crawford's despatch to your Lordship, replying to the observations upon his report as to the case of the "*Lady Suffolk*," contained in Count Alcoy's note to Lord Howden of the 15th of March last.

I have the honour likewise to transmit to your Lordship herewith, translation of the answer which I have received from General Lersundi to my above-mentioned communication.

I have, &c.
(Signed) L. C. OTWAY.

Inclosure 1 in No. 446.

Mr. Otway to General Lersundi.

Sir, *San Ildefonso, August* 10, 1853.

ON the 4th of March last Count Alcoy addressed to Lord Howden a note, containing observations upon the report of Her Majesty's Consul-General at Havana as to the case of the "*Lady Suffolk*."

By the direction of my Government, I have the honour to communicate to your Excellency the substance of Mr. Crawford's reply to the observations in question. This reply bears the date of the 28th of May, which your Excellency will not fail to observe is an earlier date than that of the despatches describing the more favourable state of things in the Island of Cuba in connection with the subject of the Slave Trade, to which it afforded me so much gratification to allude in the note which I had the honour to address to your Excellency yesterday.

Mr. Crawford, after acknowledging to the Earl of Clarendon the receipt of the observations in question, proceeds to say, respecting the fitting out for the Slave Trade in the Island of Cuba of the "*Lady Suffolk*," as follows:

"The circumstances of this case are truly stated in my despatches. My information was obtained from the crew who brought the '*Lady Suffolk*' from New York to Mariel, went with her thence to Bahia Honda, assisted in taking in her armings, provisions, and slave-equipments, and who were put from on board such ship into the Spanish coasting steamer '*Sirena*,' after the said steamer had towed the slaver or pirate ten leagues from Bahia Honda to sea, and who were brought clandestinely into this port of Havana by the said '*Sirena*.'

"The Count Alcoy takes exception at the accusation of General Cañedo that, 'as long as it is not proved that the parties proceeded against were the principal parties of the crime prosecuted,' &c.

"It is well known that, in such cases, the real culprits keep, or are kept, out of danger; and so, in the case of the '*Lady Suffolk*,' Mr. Isasi, the party taken up and proceeded against, is a clerk only, and no principal in the transaction of the '*Lady Suffolk*.'

"I do not think that it is any part of my duty, as Her Majesty's Consul-General, to act the part of a public informer; nor do I consider that it was necessary, in this instance, to denounce to the Captain-General the principals interested in the '*Lady Suffolk*,' since everybody in Havana knows whose clerk the said Isasi is, and that his employer, Don Julian Zulueta, is one of the most notorious slave-dealers that have ever existed.

"The artillery, ammunition, and stores taken on board the '*Lady Suffolk*' at Bahia Honda, were all sent from this port of Havana. Now is it reasonable to suppose that this could be done without the cognizance of those authorities, whose duty it surely was to have prevented it? I will venture to say that, for any other purpose than to fit out such an expedition by such powerful people, nothing of the kind would be allowed; indeed, I have not the slightest hesitation in asserting that it would not be done.

"I have not seen the 'sumario,' or process; consequently, it is impossible for me to say or prove whether any person against whom there were grounds of blame has escaped the rigour of the law; nor can I know, for the same reason, whether there were any persons denounced who have not been proceeded against: but not all Count Alcoy's reasoning will, I am sure, for one moment serve to make anybody who knows how such proceedings are managed here, believe that any pains were taken to detect or punish those who were the principals in the affair of the '*Lady Suffolk*,' or those whose duty it was to have put a stop to so disgraceful a proceeding.

"Your Lordship may, however, be assured that, so long as the Slave Trade is permitted to be carried on with impunity, our denunciations will always be qualified by the Spanish Government as offensive to the dignity of the Captain-General, and to those whose duty it ought to be to suppress the horrible Traffic.

"I am quite satisfied, also, that the authorities of the Island of Cuba will find advocates to screen them, however scandalous the breach of the Treaty may have been which they may have connived at.

"Count Alcoy concludes by observing, that recent examples must have convinced the British Government that the Captain General of Cuba omits neither effort nor fatigue to accomplish the abolition of the Traffic in Slaves.

"Whatever efforts and fatigue his Excellency General Cañedo may have made or undergone, I must observe to your Lordship, that they have been quite unavailing, for, most certainly, he has not been able to hinder one landing, that I know of; he has not detected or punished any of the parties who have so often and so successfully violated the existing Treaties; nor have his officers been successful in capturing the slaves after they have been landed, but, in very few instances, some of these have been captured by his acting upon my denouncements, and if he has shown any determination to put an end to the Traffic by punishing those under his command in the districts where landings of Bozal negroes have been effected, it has only been by the removal of some insignificant 'Capitanes de Partidos,' which has produced almost no good effects whatever, instead of striking terror into the whole host of the officials, by the punishment of the chiefs of the departments, whose duty it was to have taken care that the laws were not broken by those under their immediate orders.

"The task of the Captain-General, as the Count Alcoy observes, is a difficult one; still the Count may recollect that, for some time after he himself arrived here, as the Captain-General of Cuba, scarcely any slaves were introduced, and that this was owing to his firmness; but it is much to be lamented that he afterwards changed his policy."

I have, &c.

(Signed) L. C. OTWAY.

Inclosure 2 in No. 446.

General Lersundi to Mr. Otway.

(Translation.)

Sir, *San Ildefonso, August* 19, 1853.

I HAVE received the note dated the 10th instant, in which you are pleased to transcribe to me the fresh observations made by Her Britannic Majesty's Consul-General at the Havana on the case of the "*Lady Suffolk*."

As the aforesaid observations are in great part, in my opinion, a repetition of those already made on the subject by Mr. Crawford which were communicated by the British Legation to my predecessor, Count Alcoy, on the 28th of February last, and as the rest is nothing else than a declamation which has no determined object, I beg you will allow me to maintain all that which this office stated to Lord Howden in the note dated the 15th of May last, and which I think useless to repeat now, with regard to the unfounded arguments employed by Mr. Crawford in this matter, and respecting his pretension that the Government of which you are the representative should give a credence, which I would style as an excessive one, to the unproved charges he sets forth against Her Majesty's authorities in Cuba, in the most vague and indefinite terms.

Confining myself, however, to such observations from the British Consul as might appear to be a rejoinder to the note from this office, and which are substantially to the effect that Mr. Crawford does not deny that General Cañedo gives orders for the prosecution of the Slave Trade, that he punishes such functionaries as do not fulfil their duty on this matter, but that he pretends, at the same time, that the Captain-General's exertions produce no effect, since, as Mr. Crawford assures, the Slave Trade continues to be carried on; I will state to you that, even if these assertions were correct, which is not the case, since they are greatly exaggerated, all that they would prove is, that it is impossible to extinguish at one blow the illicit Traffic in Slaves, which offers so great an incentive to speculation and covetousness, and which is carried on in an island, the extensive coasts whereof are besides so favourable from their formation to that kind of contraband trade. The greatest part of the inhabitants of the island being interested in this Traffic, it must necessarily be always a difficult task not only to extinguish it completely, but also to ascertain the truth which so many persons have an interest in concealing. The British Legation, on several occasions, and recently Lord Clarendon, with a noble frankness, have acknowledged this to be the case.

But, because the aforesaid permanent obstacles render sometimes unsuccessful the Captain-General's efforts, it would be highly unjust not to acknowledge and appreciate the zeal and perseverance with which that superior functionary persecutes the Slave Trade by every means in his power, and still more unjust the pretension which appears to be set forth by Mr. Crawford that, in cases of Slave Trade, the laws should be suspended, and persons, perhaps innocent ones, should be maltreated.

This, as will not escape your good judgment, is altogether impossible, because such persons, when presented before the tribunals, would necessarily be set at liberty, since, as you are very probably aware, the judges in Spain cannot try a person on mere suspicion, nor on moral conviction, but only *ex alegata et probata.*

As, in your aforesaid note of the 10th instant, to which I am replying, you confine yourself to communicate to me, according to instructions from your Government, the substance of Mr. Crawford's last despatch on the above-mentioned subject, I consider that the plain and frank explanations contained in the present note will be sufficient, adding that I have given them to you as a testimony of deference towards yourself, and of regard towards your Government, and not because Mr. Crawford's above-mentioned communication at all required so long a reply.

I avail, &c.

(Signed) FRANCO. LERSUNDI.

No. 447.

Mr. Otway to the Earl of Clarendon.—(Received September 6.)

My Lord, *Madrid, August* 31, 1853.

IN obedience to the orders contained in your Lordship's despatch of the 17th instant, I have read to General Lersundi Mr. Crawford's despatch of the 4th of July last, together with its inclosures, relative to the landing of 600 Africans on the Isle of Pines, and complaining of the discourteous

treatment to which he is now generally exposed whenever he has occasion to denounce similar infractions of the Treaty of 1835 between Great Britain and Spain.

General Lersundi said that he had already seen the letters which had passed between Mr. Crawford and the Captain-General alluded to in Mr. Crawford's despatch to your Lordship, and that neither in one nor the other could he discover any just ground for complaint or animadversion; that Mr. Crawford should, however, strictly confine himself, in his communications with the Captain-General, to a simple relation of facts, and not call upon him authoritatively to take any particular steps, or suggest any particular course of proceeding on the part of that functionary; that Mr. Crawford seemed constantly to lose sight of the fact that his functions and duties were purely and simply of a commercial nature, and as a commercial agent alone was he recognized and considered by the Spanish Government; and that whatever remarks or suggestions Her Majesty's Government might think proper or necessary to address to that of Her Most Catholic Majesty, they could and would only receive through the official and accredited organ of Her Majesty's Government at this Court; and, finally, that he would take an early opportunity, in a private communication, of desiring General Cañedo to treat Mr. Crawford with that courtesy and consideration due to his office and position.

I stated to General Lersundi it was your Lordship's opinion that Mr. Crawford, in his efforts to secure the execution of the stipulations of the Treaty of 1835 had not exceeded the strict limits of his duty, and that, were the Captain-General really sincere in his professions of putting down the Traffic in Slaves, he would receive, in a very different spirit and manner, Mr. Crawford's communications.

His Excellency replied that he had nothing at present to add to what I have above had the honour of reporting to your Lordship on this subject.

I have, &c.

(Signed) L. C. OTWAY.

No. 448.

The Earl of Clarendon to Mr. Otway.

Sir, *Foreign Office, September* 8, 1853.

I TRANSMIT herewith a copy of a despatch* which I have received from Mr. Lindegren, Her Majesty's Consul in Porto Rico, stating that the Spanish mail-steamers conveyed in June and July last, from Porto Rico to Cuba, between 60 and 70 negroes, who were intended for sale at Havana.

I have to instruct you to state to the Spanish Minister for Foreign Affairs that Her Majesty's Government have learnt with great regret that this Traffic has been resumed; and you will urge his Excellency to take steps in order that stringent instructions may be sent to the Captain-General of Porto Rico, prohibiting the transmission of slaves from that island to Cuba for sale.

I am, &c.

(Signed) CLARENDON.

No. 449.

The Earl of Clarendon to Mr. Otway.

Sir, *Foreign Office, September* 8, 1853.

WITH reference to Lord Howden's despatch of the 12th of May last, I transmit herewith a copy of a despatch† which I have received from Mr. Consul-General Crawford, respecting the opposition and the legal difficulties which the Captain-General of Cuba has experienced in consequence of the orders which he had given directing the District Governors to enter any estates where there might be reason to suspect that newly-imported negroes were concealed.

* No. 661. † No. 577.

You will communicate the contents of the inclosed despatch to General Lersundi, who will learn thereby that Mr. Crawford, who is accused of animosity towards the Captain-General, does justice to the efforts of that functionary when facts permit of his doing so.

You will at the same time invite the attention of General Lersundi to the state of the law which renders those efforts abortive, and you will earnestly recommend that the Spanish Government should amend the Penal Law of March 2, 1845, so that the Spanish authorities in Cuba may be enabled to pursue the newly-imported negroes to every place where it is likely that they may be concealed.

I am, &c.
(Signed) CLARENDON.

No. 450.

The Earl of Clarendon to Mr. Otway.

Sir, *Foreign Office, September* 8, 1853.

I TRANSMIT herewith copies of a despatch* from Mr. Consul-General Crawford, and of the correspondence therein mentioned, respecting some newly-landed negroes, whose emancipation had been officially communicated by the Captain-General of Cuba to the Mixed Commission at Havana.

You will observe that the Captain-General has refused to return any answer to an inquiry which I instructed Her Majesty's Commissary Judge to make with regard to the manner in which these emancipated negroes had been disposed of; and I have to call your attention to this correspondence, with reference to the recent communication which General Lersundi has made to you upon the subject of the emancipados in Cuba, and which is mentioned in your despatch of the 25th ultimo.

I am, &c.
(Signed) CLARENDON.

No. 451.

The Earl of Clarendon to Mr. Otway.

Sir, *Foreign Office, September* 8, 1853.

I HAVE received your despatch of the 31st ultimo, and I have to instruct you to thank General Lersundi on the part of Her Majesty's Government for having undertaken to address a private communication to General Cañedo, directing him to treat Mr. Crawford with the courtesy and consideration which are due to his official character and position.

But with reference to General Lersundi's observation that Mr. Crawford's functions and duties are merely of a commercial nature, I have to desire that you will read to General Lersundi the agreement which was signed by Sir Henry Bulwer and Señor Martinez de la Rosa, on the 4th of November, 1845, with regard to the correspondence between Her Majesty's Consul-General at Havana and the Captain-General of Cuba upon matters relating to the Slave Trade, and you will request General Lersundi to observe that Mr. Crawford has not exceeded the limits of his instructions founded upon that agreement.

I am, &c.
(Signed) CLARENDON.

No. 452.

Mr. Otway to the Earl of Clarendon.—(*Received September* 15.)

(Extract.) *Madrid, September* 9, 1853.

WITH reference to your Lordship's despatch of the 16th ultimo, I have the honour to transmit to your Lordship herewith translations of a

* No. 576.

note and its inclosure, which I have received from General Lersundi, in reply to the one which I addressed to his Excellency on the 24th ultimo, communicating to him, by your Lordship's directions, copies of a correspondence which had passed between Mr. Crawford, Her Majesty's Consul-General at the Havana, and the Captain-General of Cuba, relative to his Excellency's refusal to allow two liberated African women to remain in Cuba.

Inclosure 1 in No. 452.

General Lersundi to Mr. Otway.

(Translation.)

Sir, *San Ildefonso, August* 26, 1853.

I HAVE received your note of the 24th instant, in which, on inclosing a correspondence which has passed between the Captain-General of the Island of Cuba and the British Consul at the Havana, you express, in the name of your Government, the regret with which the latter has learnt the language made use of by the aforesaid Spanish functionary on this occasion, which you say is not only discourteous with regard to the Consul, but also disrespectful towards the Government of Her Britannic Majesty.

This note of yours has caused me the most profound regret, since it confirms what I have so frequently stated to you, both verbally and in writing, respecting my apprehensions as to the Government of Her Britannic Majesty giving too much credence to the almost always prejudiced assertions of a functionary whose conduct in the Island of Cuba is, unfortunately, highly calculated to embarrass the friendly relations which have from ancient times existed between Spain and England.

The English Government, on transmitting to me, with its usual noble frankness, Mr. Crawford's correspondence, has precisely furnished me with the means of proving, in a clear and evident manner, the justice of our repeated complaints against the injudicious conduct of Mr. Crawford; and has likewise afforded me the opportunity of corresponding, as in duty bound, to the frank behaviour of your Government, by transmitting to them, in my turn, with the request that it be returned to me when done with, the last communication, in original, which I have received from the Captain-General, together with the documents inclosed in it, relative to the negro woman Mary Anne Bethel. And I will now carry my loyalty even so far as to inclose to you at the same time, as I do herewith, a copy of the despatch addressed by this Office on the 17th instant to Señor Isturiz, relative to the same subject.

It appears from all the aforesaid documents, in a manner as patent as it is undeniable, that Mr. Crawford has abused the good faith of the Captain-General, by fraudulently keeping in his service for upwards of one year the negress Mary Anne Bethel, whom he had taken the engagement, as he himself confesses, of removing immediately out of the territory of the island, because such was the precise condition on which the aforesaid superior authority placed the negro woman in question at the disposal of Her Britannic Majesty's Consul-General; that, notwithstanding this emancipated negress being long since well known for her vicious and immoral conduct, to the point that her last masters had almost abandoned her, Mr. Crawford has protected her, by retaining her secretly either in his possession, or in that of one of his acquaintances, thus setting at defiance, if I may so express myself, the powerful reasons which the Government of the Queen, my Sovereign, has for not allowing any emancipated slave, of such character and circumstances as those of the negress Mary Anne, to remain in the island; and, finally, that Mr. Crawford, perceiving his dangerous position in this affair, has resorted to the expedient, which he has so much abused, of pretending to have been offended in his official character, and of raising conflicts with the Spanish authority, by intentionally mixing up his own Government in the dispute, with the view of thereby throwing the principal object of this troublesome affair into the

background, and thus avoiding that his want of justice and his censurable conduct should come forward.

If I were, on this occasion, to recall to your mind the long correspondence which has taken place with the British Legation on the subject of the negress Mary Anne, and to lay stress anew on the positive testimony which the Spanish Government gave, on the occasion in question, to the Government of Her Britannic Majesty, of its constant wish of removing every motive of misunderstanding between the two Governments; if I were to call your attention to the fact that the friendly deference with which her letters of freedom were granted to the negress Mary Anne, without this act—a purely gracious one on the part of Her Majesty—being founded upon any legal reasons, since the process which had been instituted on this matter was not at that time in the proper stage for a decision to be adopted thereupon, has only served to bring upon us fresh annoyances raised by Mr. Crawford; I would, perhaps, then be under the necessity of entering into observations which I prefer omitting, as an additional proof of my sincere wish of discarding from this matter everything which may give to it the character of a disagreeable controversy with the Government of Her Britannic Majesty.

Fortunately, in the present occasion, there is no question of landing of negroes, nor of denunciations of cases of this kind, respecting which any excess of zeal on the Consul's part might appear excusable; the question is relative to an act which belongs purely and exclusively to the Spanish authority, and on which no interference of any kind whatever can be allowed to foreign agents; namely, the perfect right which the Captain-General possesses, by virtue of the powers vested in him, of not allowing any emancipated slave whom he may consider to be a dangerous character, or whom he may have formally ordered to leave the colony, to remain in the island entrusted to his command, and for the good government of which he is responsible.

The question being so laid down, I cannot abstain from calling your attention to the gravity of this affair, since it is undoubtedly one of the most serious questions which can occur in the administration of a colony, in which, independently of other circumstances which it would be now superfluous to enumerate, slavery exists, the right of determining what emancipated slaves are to be allowed to remain in the colony; and since England leaves the Governors of her colonies at perfectly unrestrained liberty to admit or to refuse to foreigners to take their residence in the same, that nation must necessarily acknowledge that Spain must grant the same power to her Captains-General, and more especially with regard to free coloured people.

Establishing this principle as a general rule, and leaving aside the limitation of powers imposed on the English Consul at the Havana, by virtue of Conventions between the Governments of Spain and England, and overlooking also the especial circumstances of this case, the aforesaid English Consul ought never to have entered into an official correspondence on a subject so alien from his competency. I beg to state to you with perfect frankness that I can find no instance of a greater translimitation of powers on the part of a Consul than that which the British Consul has committed on the occasion in question by speaking in the name of his Government when writing to an authority dependent on the Government of Her Catholic Majesty, and on a subject as delicate as it is distant from his intervention. I can easily conceive that the English Government should have addressed Her Majesty's Government through your channel, for the purpose of recommending the residence in the Island of Cuba of some emancipated slave, founding this request on some special reasons. I can even conceive that Mr. Crawford should have himself made such a recommendation to General Cañedo, stating the interest which his Government took in the affair, because any of these two courses are perfectly consistent with the state of friendly relations which exist between the two countries, and because the English Government can justly consider itself authorized to make a request of this kind, or bearing upon any other feasible question, by the confidence which the goodwill of Her Majesty's Government must inspire it with. But it was not done so; and

Mr. Crawford preferred the course of addressing an official remonstrance, couched in so unusual a form that it could not but meet with a refusal on the part of the Captain-General, and even wound the dignity of this functionary by the fact of transmitting to him warnings from a foreign Government, for the purpose of thus having an opportunity of writing to the English Government a complaint like that contained in the Consul's despatch of the 2nd of July, and of throwing a veil over the fault committed in concealing the negress Mary Anne.

I entreat you to read with attention Mr. Crawford's aforesaid despatch, and you will perceive the care with which he endeavours to excite the sense of dignity of the English Government. He begins by supposing as an act of discourteousness what is merely the duty of the Captain-General, as to his refusing to receive any communications from the Consular agents, when bearing upon matters entirely out of their competency, and finishes by expressing his indignation at the disrespect which he supposes has been shown towards the Government of Her Britannic Majesty.

The British Consul at the Havana affirms that he has given no cause for the Captain-General's being circumspect and severe with him. I beg to call to your recollection that from the moment of his arrival at the Island of Cuba Mr. Crawford began to quarrel with the authorities of the island, and that there has been not one single Captain-General who has not had very numerous motives of complaint against him, and that it is only owing to the noble feelings of the English Government, and to our own friendly condescension, that the British functionary in question has not given rise to serious differences between the two countries. As a proof of this truth, I might also recall to your mind that, so far back as 1845, it was already found necessary to put a stop to Mr. Crawford's transgressions and exaggerated pretensions, by means of the Convention of the 4th of November of the aforesaid year, signed by Don Francisco Martinez de la Rosa and Sir H. L. Bulwer.

If in the aforesaid Convention it is forbidden to the British Consul, as may be seen in the preamble, to assume diplomatic attributions which do not belong to him, how can he be allowed in the case in question to make official representations in behalf of persons who are no subjects of Her Britannic Majesty, and on account of interests which are not commercial ones, nor emanating from any Treaty? How can he pretend to describe as a want of respect towards the English Government a measure adopted by the Captain-General, the object of which is to enforce the fulfilment of the Convention concluded between Her Majesty's Government and the Representative of Great Britain at Madrid?

I request you to call the serious attention of the Earl of Clarendon to these observations; I beg you to point out to his Lordship the utter want of foundation of the complaint produced by Mr. Crawford, and the unfriendly spirit with which he endeavours to excite the resentment of the English Government by trying to impress on it the belief that the respect to which it is entitled has been disregarded, whilst the only thing which the Captain-General has done is to warn Mr. Crawford about the remarkable transgression of his powers which he has taken the liberty to commit; and, finally, I have to request that you will state to his Lordship that Her Majesty's Government cannot disapprove the manner in which the Captain-General of Cuba has conducted himself on the occasion in question, since there is in it neither any offence to the English Government, nor any intention of offending it; and that the only means of preventing the repetition of such disagreeable incidents is to compel Mr. Crawford to maintain himself within the orbit of his consular attributions, and to abstain from setting forth representations which do neither appertain to his competency, nor could be received without injuring the dignity of the high functionary who governs the Island of Cuba, in the name of the Queen, my august Sovereign.

I avail, &c.

(Signed) FRANCO. LERSUNDI.

Inclosure 2 in No. 452.

Despatch addressed by Her Catholic Majesty's Government to M. de Isturiz.

(Translation.)

Most Excellent Sir, *San Ildefonso, August* 17, 1853.

IN the despatch from this office, dated the 3rd of February, 1851, your Excellency was informed that Her Britannic Majesty's Minister had claimed the liberation of a negro woman named Mary Anne, who had been sold as a slave in the Havana, founding his demand on the argument that, according to an Act of the English Parliament, the aforesaid negress had ceased from belonging to her master, and become the property of the Crown of England, in consequence of her having been fraudulently exported from the Bahama Islands.

After a long and troublesome correspondence between this office and the British Legation upon this subject, the Queen, our Sovereign, being always desirous of removing every motive of disagreeable controversy with the English Government, by offering to it, as far as the circumstances of the Island of Cuba will permit, proofs of friendly deference, determined that the proper instructions should be issued to the Captain-General of that island, to the effect of letters of freedom being granted to the negress Mary Anne Bethel, and that her owner, Doña Aurora Rosé, should be indemnified for the value of the emancipated slave. But as this act was not founded on legal reasons, since the process which had been instituted upon the matter was not yet in the requisite stage for a decision being adopted thereupon; this office took special care of consigning, in the note which it addressed to the British Legation on the subject, that the freedom granted to the negress Mary Anne being a purely gracious concession, it ought never to be alleged in future as a precedent for similar claims.

The Captain-General of Cuba, in fulfilment of the aforesaid Royal decision, delivered into the aforesaid negress' own hands her letter of freedom on the 19th of January, 1852. That functionary knew, however, that this emancipated slave had long been a notorious character for her vicious conduct and her habitual drunkenness, and that her masters had almost abandoned her on account of her vices; and it therefore being contrary to all sound policy and to public morals to allow that the negress Mary Anne should continue to reside in the aforesaid island, where she was likely to give a bad example to people of her class, and to induce, with her excessively cunning character, other slaves to put forward claims similar to the one which has been the cause of her freedom; the Captain-General came to the resolution of placing the negress in question under the care of the British Consul-General, on the precise condition that he would cause her to leave the territory of the island within a very short time.

The aforesaid superior functionary being incapable of suspecting that Mr. Crawford, notwithstanding his usually irregular conduct, would not keep his promise on this occasion, demanded no security from him for the fulfilment of the same, and consequently the Captain-General was ever since, and till the 27th of February last, that is to say, upwards of a year after the negress Mary Anne having been consigned to the British Consul for her immediate removal from the island, under the persuasion that she was no longer in the colony.

Having so far made yourself acquainted with the particulars of this case, by the above statements, it will be easy for your Excellency to appreciate, under its true point of view, Mr. Crawford's further proceedings on this matter, as they appear from the accompanying copies of the correspondence which has passed between that functionary and the Captain-General on this subject. Your Excellency will see by these documents that the question bears now upon a fresh abuse on the part of the English Consul at the Havana, and a new proof of his want of good

faith, which he has almost adopted as a system; since it is really most extraordinary that the violent communications from Mr. Crawford, claiming the liberation of the negress Mary Anne; the correspondence which took place on the subject between this office and the British Legation; and, finally, the indemnification paid by the Spanish Government for the freedom of the aforesaid negress, should have ended in this negress fraudulently remaining in the service of the abovementioned Consul, until the fact came to the knowledge of the Captain-General, after the lapse of upwards of a year.

Your Excellency will also observe in Mr. Crawford's communications on this matter, the same hostile spirit which he generally shows in every one of his official representations; the same tendency towards the translimitation of his powers, without it being possible to make him understand his true position of a mere commercial agent; and the, from day to day, more disagreeable aspect of the differences which he seems to have made a point of raising and keeping alive, at any cost, with the superior authority of the Island of Cuba.

For all these reasons, it is the will of the Queen, our Sovereign, that your Excellency should call the serious attention of the British Government to the highly irregular conduct of Mr. Crawford, taking the first favourable opportunity to express to Lord Clarendon the profound regret we feel at seeing that the question of Slave Trade has been so much perverted that we see British functionaries, like the Consul at the Havana, turned into an element of continual disquietude and ill-feeling, and raising complications and conflicts with the authorities of Her Catholic Majesty in Cuba, in contravention of what is established by the Law of Nations, and of what is due to the independence and dignity of Spain.

I communicate the above to your Excellency by command of Her Majesty, for your guidance and fulfilment thereof.

God preserve, &c.

No. 453.

Mr. Otway to the Earl of Clarendon.—(*Received September* 22.)

My Lord, *Madrid, September* 16, 1853.

ON the receipt of your Lordship's despatch of the 27th ultimo, I lost no time in placing myself in communication with General Lersundi on the subject of the non-fulfilment by the authorities in Cuba of the Royal Order granting their freedom to all emancipated negroes, and I have just received from his Excellency in acknowledgment the note, a translation of which I have the honour herewith to inclose.

In the absence from Madrid of General Lersundi, I took an opportunity, a few days since, of speaking to the Under Secretary of State, Señor Riguelme, on the subject of your Lordship's despatch to me of the 9th instant, respecting the refusal of General Cañedo to give any information as to the manner in which 16 Bozal negroes had been disposed of.

Señor Riquelme assured me that he would not fail, as soon after the arrival of Señor Calderon de la Barca as possible, to draw his Excellency's attention to the matter.

I have, &c.
(Signed) L. C. OTWAY.

Inclosure in No. 453.

General Lersundi to Mr. Otway.

(Translation.)

Sir, *San Ildefonso, September* 12, 1853.

I VERY much regret not being able to give you at once the information which you request from me on the subject of the emancipated slaves, but, being desirous of complying with your wishes, and supposing that the Captain-General of the Island of Cuba will be now adopting the proper measures for the fulfilment of the orders issued by the Government of the Queen, my Sovereign, on the aforesaid matter, which measures he will only have reported to the proper Department, namely, the Colonial Office; a communication has been addressed to the latter, desiring it to report to this Department any information it may have received on the subject in question, and I will have the pleasure of communicating to you the result of this inquiry.

No. 454.

The Earl of Clarendon to Mr. Otway.

Sir, *Foreign Office, September* 24, 1853.

I HAVE received your despatch of the 9th of September, inclosing the answer of General Lersundi to the complaint which I instructed you in my despatch of the 16th of August to address to his Excellency relative to the discourteous conduct of the Captain-General of Cuba towards Mr. Crawford with regard to two liberated African women, whose continued residence in Cuba was prohibited by the Captain-General.

The ground of complaint in this case was, that when Mr. Crawford, in obedience to an express instruction from Her Majesty's Government, addressed to the Captain-General of Cuba a very civil and temperate remonstrance against his abrupt withdrawal of a concession which had been granted by his predecessor, who allowed the Bahama negress, Mary Anne Bethel, to remain in Cuba instead of being sent home, the Captain-General caused a letter to be written to Mr. Crawford telling him that if he addressed another such letter to the Captain-General it should be sent back to him.

I have to observe that General Lersundi's answer to your representation on this matter avoids the real question under discussion, which is, whether or not the Captain-General was borne out in treating a communication which was made under instructions from Her Majesty's Government with marked discourtesy and rudeness, and General Lersundi's endeavours to raise an accusation against Mr. Crawford for having, as his Excellency alleges, fraudulently and secretly retained Mary Anne Bethel in his service for more than a year, instead of sending her out of the island immediately after she was transferred to him for that purpose by Captain-General Concha.

General Lersundi also states that Mr. Crawford, in order to conceal his culpability in this affair, and to obtain the interference of Her Majesty's Government, has entered into official correspondence with the Captain-General upon a matter which he was incompetent to deal with, and has falsely represented that he has been offended by that functionary.

Now the fact is, that Mr. Crawford did not clandestinely keep Mary Anne Bethel in his service, but he applied to General Concha to allow her to remain in Cuba; and the General verbally consented to do so, on condition that she should be kept in Mr. Crawford's employment and should reside in his house; and the correspondence shows that General Cañedo now justifies himself for having ordered her to be arrested and to be sent away, on the ground that she had quitted the house of Mr. Crawford, who, however, explains that she had done so in order to get cured of an attack

of rheumatism. It is also to be observed that it was not Mr. Crawford but General Cañedo who commenced the correspondence on this subject.

I have to instruct you to call the attention of General Lersundi to the above observations; and in order to convince his Excellency that Mr. Crawford's letter to General Cañedo of the 25th of May was not, as General Lersundi seems to suppose, written without authority, and for the sole purpose of gratuitously provoking a quarrel, you will communicate to General Lersundi the inclosed copy of my despatch of April 10 to Mr. Crawford,* and you will say that, even if General Cañedo considered that the contents of Mr. Crawford's letter were not in conformity with the agreement of November 1845, he might have informed Mr. Crawford that this was his opinion, without having recourse to the uncivil and overbearing threat contained in the Secretary's letter of the 28th of June.

I return herewith the original papers which accompanied your despatch of September 9.

I am, &c.
(Signed) CLARENDON.

No. 455.

Mr. Otway to the Earl of Clarendon.—(*Received October* 5.)

(Extract.) *Madrid, September* 23, 1853.

IN conformity with your Lordship's instructions I have read to Señor Calderon de la Barca your Lordship's despatch of the 24th ultimo, relating to various accusations of a character more or less grave and important brought forward by the Spanish Government against Mr. Crawford, Her Majesty's Consul-General at the Havana, and I requested his Excellency to furnish me with all the proofs Her Majesty's Government were entitled to demand, with the least possible delay.

His Excellency at once admitted the justice and propriety of my request, and said that his opinion was, that considerable exaggeration existed in these charges made against Mr. Crawford. That there were, however, some proofs in his office, but they were incomplete, and that the moment he had time to properly organize and look into the business of his Department, he would give this matter his immediate attention. That the Captain-General should be called upon to produce forthwith the further evidence required; and that if he was unable to do so, it should be frankly acknowledged by the Spanish Government.

He concluded by saying, "I am an abolitionist, and you may tell Lord Clarendon from me that I will either give up my post as Minister of the Crown, or cause the Treaties with England, as regards the Slave Trade, to be faithfully and religiously carried out as far as lies in our power.

No. 456.

Mr. Otway to the Earl of Clarendon.—(*Received October* 5.)

My Lord, *Madrid, September* 23, 1853.

AGREEABLY to the orders contained in your Lordship's despatch to me of the 8th instant, I have thanked Señor Calderon de la Barca, in the name of Her Majesty's Government, for the assurance given me by General Lersundi, that he would address a private communication to General Cañedo to treat Mr. Crawford with the courtesy and consideration due to his official character and position.

M. Calderon de la Barca said, that he would renew these directions in the same shape and form, though he considered the recommendation

* No. 514.

unnecessary, as the Captain-General was only doing his duty in treating any agent of Her Majesty's Government with all due courtesy and consideration.

I then, as desired by your Lordship, read to his Excellency the agreement signed on the 4th November, 1845, by Sir H. Bulwer and M. Martinez de la Rosa, with respect to the forms to be used in official correspondence on matters relating to the Slave Trade, between Her Majesty's Consul-General and the Captain-General of Cuba, and requested him to observe that Mr. Crawford had not exceeded the limits of his instructions founded upon that agreement.

M. Calderon de la Barca replied, that he would cause inquiries to be made into the matter, and would speak to me on the subject again at some future period, as he had not yet had time to look through General Cañedo's correspondence.

I have, &c.
(Signed) L. C. OTWAY.

No. 457.

The Earl of Clarendon to Mr. Otway.

Sir, *Foreign Office, October* 10, 1853.

I HAVE received your despatch of the 23rd ultimo, reporting a conversation which you had had with Señor Calderon de la Barca, in which he expressed his firm determination to do all in his power to cause the Treaty engagements of Spain towards Great Britain, for the suppression of Slave Trade, to be faithfully observed; and I have to instruct you to express to Señor Calderon the satisfaction with which Her Majesty's Government have learned this declaration on his part.

I am, &c.
(Signed) CLARENDON.

No. 458.

The Earl of Clarendon to Mr. Otway.

Sir, *Foreign Office, October* 14, 1853.

I TRANSMIT herewith a copy of a despatch* which I have received from Mr. Crawford, Her Majesty's Consul-General at Havana, inclosing a copy of the answer returned by the Captain-General of Cuba to a communication which was made to his Excellency by my direction, with reference to the promise made to Lord Howden by the Spanish Government, in March last, relative to the liberation of the emancipados in Cuba.

I have to instruct you to communicate the accompanying despatch and its inclosures to M. Calderon de la Barca, and to state to his Excellency that I will leave him to judge of the impression which the Captain-General's letter of the 27th of August, must have produced upon Her Majesty's Government.

M. Calderon is of course aware of the distinct promise made by Count Alcoy in his letter to Lord Howden of the 15th of March last, in which Count Alcoy stated that the Queen of Spain had been pleased to resolve that freedom should be granted to all the emancipated negroes now in Cuba, under the Treaty of 1817, upon the expiration of their respective terms of apprenticeship (consignacion), provided however, that all of them should be set free before the end of 1853; and further, with regard to the emancipated negroes belonging to the Treaty of 1835, that they should likewise obtain their liberty on the completion of their five years of apprenticeship.

You will state to M. Calderon, that I myself announced this promise in the House of Lords, and gave credit for it to the Spanish Government; and the only result has been, that the Captain-General tells Her Majesty's

* No. 583.

Consul-General that he has no right to make any inquiries upon the subject.

You will add, that Her Majesty's Government will not doubt that M. Calderon de la Barca was sincere in the assurances which he gave to you, as reported in your despatch of the 23rd of September; and they therefore request that his Excellency will at once inform them what measures he means to take in order to fulfil the promise of his predecessor, and to mark the sense of the Spanish Government upon the conduct of the Captain-General in this matter.

I am, &c.
(Signed) CLARENDON.

No. 459.

The Earl of Clarendon to Mr. Otway.

Sir, *Foreign Office, October* 14, 1853.

I TRANSMIT herewith copies of a despatch,* and of its inclosures, which I have received from Mr. Crawford, Her Majesty's Consul-General at Havana, containing a correspondence which has passed between him and the Captain-General of Cuba, respecting the trial and conviction at Belize of a person named Anduze, who was found guilty of decoying native Indians from Yucatan, and of sending them to Havana to be dealt with as slaves.

You will learn by the letters from the Captain-General's Secretary to Mr. Crawford of the 8th and 20th of August, that the Captain-General maintains that the Anti-Slave Trade Treaty of 1835 between Great Britain and Spain does not apply to the crime of stealing, buying or selling white men or women for the purpose of reducing them to slavery; and I have to instruct you to state to M. Calderon de Barca that Her Majesty's Government of course do not suppose that such an interpretation of the Treaty can be sanctioned by the Spanish Government; but you will say that it is a proof of General Cañedo's readiness to encourage the Slave Trade in whatever quarter it may be carried on.

I am, &c.
(Signed) CLARENDON.

No. 460.

The Earl of Clarendon to Mr. Otway.

Sir, *Foreign Office, October* 14, 1853.

I TRANSMIT herewith a copy of a despatch† from Mr. Crawford, Her Majesty's Consul-General at Havana, reporting that 360 negroes were landed on the 12th of July near San Juan de los Remedios, in the Island of Cuba, and describing the disgraceful impunity with which the Slave Trade is now carried on in that island.

I have to instruct you to communicate Mr. Crawford's despatch to the Spanish Secretary of State for Foreign Affairs, and to request that this description of the Slave Trade in Cuba may be made known to the new Captain-General.

I am, &c.
(Signed) CLARENDON.

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* No. 585. † No. 586.

No. 461.

The Earl of Clarendon to Mr. Otway.

Sir, *Foreign Office, October* 15, 1853.

WITH reference to my despatch to you of the 12th of July, informing you that I had referred to Mr. Crawford, for his observations thereupon, the letter from General Lersundi which accompanied your despatch of the 28th of June, I now transmit to you a copy of a despatch* which I have received from Mr. Crawford, containing his answer to the statement of General Lersundi, that the information which Mr. Crawford is in the habit of communicating to the Captain-General of Cuba respecting the landing of negroes in Cuba frequently turns out to be incorrect; and I have to instruct you to state the substance of Mr. Crawford's answer in a note which you will address to the Spanish Minister for Foreign Affairs.

I am, &c.
(Signed) CLARENDON.

No. 462.

The Earl of Clarendon to Mr. Otway.

Sir, *Foreign Office, October* 15, 1853.

I TRANSMIT herewith a draft of a letter which you will address to the Spanish Minister for Foreign Affairs, reminding the Spanish Government of their existing obligations under Article II of the Anti-Slave Trade Treaty of 1835, and pointing out the necessity which obviously exists for the alteration and amendment of the Spanish Royal Decree which was issued on the 2nd of March, 1845, for the punishment of persons engaged in the Slave Trade.

I am, &c.
(Signed) CLARENDON.

Inclosure in No. 462.

Draft of a Letter to be addressed to Señor Calderon de la Barca.

Sir,

I HAVE received the orders of Her Majesty's Government to draw your Excellency's attention to the important engagements entered into by the 2nd Article of the Treaty of the 28th of June, 1835, between Great Britain and Spain.

By that Article Her Catholic Majesty engaged that, immediately after the exchange of the ratifications of the said Treaty, and from time to time afterwards, as it might become needful, Her Majesty would take the most effectual measures for preventing her subjects from being concerned in carrying on, in any way, the Trade in Slaves; and especially that, within two months after the said exchange, Her Majesty would promulgate throughout her dominions a penal law, inflicting a severe punishment on all those her subjects who should, under any pretext whatsoever, take any part whatever in the Traffic in Slaves.

Your Excellency is no doubt aware that nearly ten years elapsed before any measures were taken on the part of Spain to fulfil the above-mentioned obligation, and that for that purpose a Decree was at length issued by the Queen of Spain on the 2nd of March, 1845. But your Excellency will find, on reference to the records of the department over which you preside, that, immediately after the passing of that Law, and on several occasions since, Her Britannic Majesty's Government have been under the necessity of pointing out to the Government of Her Catholic

* No. 590.

Majesty, that the provisions of Article IX of the Law in question were expressed in such a manner as to have the effect that, if newly-landed Africans should be once introduced into an estate in Cuba, no matter how illegally, the proprietor of such estate could not be molested in their possession, and might violate the principal enactments of the Law with complete impunity.

Accordingly, the experience, not only of Her Majesty's Government, but also of the Governors of Cuba, during the last eight years, has amply proved that Her Majesty's Government were borne out in holding this opinion; and, in confirmation of that fact, I need only refer to the note which General Lersundi addressed to Lord Howden on the 7th of May last, stating that the Captain-General of Cuba, having exhausted every means which the law allowed him to use against the slave-dealers, and being desirous of accomplishing the complete extinction of the Slave Trade, had not hesitated to adopt an extreme measure, which was hardly warranted by the existing laws of Spain, and had authorized the District Governors of Cuba to enter and search any estates where there might be reason for suspecting that newly-imported negroes were concealed, and to deliver up any such negroes to the Captain-General.

These energetic measures produced so marked an effect in discouraging and checking the violators of the law, that I was instructed by Her Majesty's Government to express, as I did in my letter to General Lersundi of the 9th of August last, the satisfaction with which Her Majesty's Government had learnt that General Cañedo appeared at length to be endeavouring to suppress the Slave Trade, which under his Government had reached such an alarming and almost unprecedented height; and, under these circumstances, I was authorized to withhold a strong representation, which I had been previously ordered to address to the Spanish Government with regard to the increase of the Slave Trade in Cuba, and the disturbance of the friendly relations between Great Britain and Spain, which would be its inevitable consequence.

It is now my duty to inform your Excellency that Her Majesty's Government have learnt with sincere regret that these expectations as to the effectual repression of the Slave Trade in Cuba have not been realized, and that the Captain-General has ascertained that it is the opinion of the Court of Royal Audiencia that his Excellency's proceedings were illegal, and that that Court would order the restitution of any negroes which might be captured under the new instructions of the District Governors.

The failure of these measures recently adopted by the Captain-General of Cuba manifestly proves that Her Majesty's Government were fully justified in entertaining the opinions which they expressed in 1845, and which they have since frequently repeated to the Spanish Government, as to the effect which the concluding clause of Article IX of the Penal Law would have in rendering that law practically inoperative. And it is clear that so long as that or any similar provision for the protection of the Cuban planters shall remain in force, it cannot be said that the engagements which Spain contracted towards Great Britain by Article II of the Treaty of the 28th of June, 1835, are faithfully fulfilled.

Her Majesty's Government have therefore directed me to state to your Excellency that they feel convinced that the Government of Her Catholic Majesty will now see, that unless the existing penal law respecting the Slave Trade is altered and amended, the Governors of Cuba and Porto Rico will never be without reason for failing in their attempts effectually to extinguish the Slave Trade.

The principal legislative enactments which Her Majesty's Government beg leave to suggest for the consideration of the Spanish Government are the following:

1. That the clause of the Penal Law of 1845 which I have pointed out, should be repealed.

2. That the proper officers of the Crown in Cuba and Porto Rico should have power to capture all newly-imported negro slaves wherever

they may be found, and to impose a fine for every such negro on the parties upon whose property they may be captured.

3. That all the slaves on the several plantations throughout the two islands should be registered, so that there may be no possibility of a dispute arising between the planters and the Government authorities, as to whether the slaves are or are not newly-imported negroes. It should also be provided that the authorities should be empowered at any time to search the estates, and to have the slaves mustered according to the registry.

4. The amount of the penalties, and the extent of the punishment to be inflicted upon all violators of the amended law, should be greatly increased.

Her Majesty's Government have desired me in conclusion to point out to your Excellency how often and seriously the good understanding between the Governments of Great Britain and of Spain has been disturbed by the painful discussions arising out of the failure of the Captain-General of Cuba to enforce the obligations of the Anti-Slave Trade Treaty of 1835, and Her Majesty's Government feel persuaded that your Excellency will recommend to the impartial consideration of the Spanish Government the above proposals for an amendment of the Spanish Penal Law against Slave Trade, which appear to Her Majesty's Government to afford the most obvious means of relieving the two Courts from a constantly recurring cause of mistrust and embarrassment.

No. 463.

The Earl of Clarendon to Mr. Otway.

Sir, *Foreign Office, October* 15, 1853.

I TRANSMIT herewith two copies of the Report, together with the documents relating thereto, which have been presented to the House of Commons by the Select Committee which was appointed to inquire into the Treaties and Engagements between Great Britain, Spain, and Portugal, respecting the Slave Trade.

I have to instruct you to communicate one of the inclosed documents to the Spanish Minister for Foreign Affairs, and to state to his Excellency that Her Majesty's Government cannot but regret that the Committee should, upon a review of the conduct of Spain in regard to the Slave Trade, have been obliged to come to the conclusion that she has not been faithful to her Treaties and Engagements with Great Britain for the suppression of that Trade.

I am, &c.
(Signed) CLARENDON.

No. 464.

The Earl of Clarendon to Mr. Otway.

Sir, *Foreign Office, October* 22, 1853.

I TRANSMIT herewith a copy of a despatch* which I have received from Mr. Backhouse, Her Majesty's Commissary Judge at Havana, inclosing copies of applications which have been addressed by Her Majesty's Consul-General, and by himself, to the Captain-General of Cuba with regard to the promise which Her Majesty's Government have received from the Government of Her Catholic Majesty as to the liberation of the emancipados in Cuba.

* See Class A, No. 24.

Mr. Backhouse also incloses copies of the two answers returned to those applications by the Captain-General, stating that this is a matter in which Her Majesty's Commissary Judge and Her Majesty's Consul-General have no business to interfere.

I have to instruct you to state the substance of the inclosed despatch to M. Calderon de la Barca, and to say that as the Captain-General of Cuba is fortunately about to be removed from his post, I forbear to add another to the numerous and utterly useless complaints that it has been the painful duty of Her Majesty's Government to prefer against this officer; but as the Spanish Government have been disposed throughout General Cañedo's career to defend his conduct, this case will show in what manner he has fulfilled the Treaty between Great Britain and Spain, and carried out the orders of his own Government.

I am, &c.
(Signed) CLARENDON.

No. 465.

Mr. Otway to the Earl of Clarendon.—(*Received November* 2.)

My Lord, *Madrid, October* 27, 1853.

IN obedience to the instructions contained in your Lordship's despatch of the 14th instant,* I lost no time in calling Señor Calderon de la Barca's attention to the non-fulfilment of the distinct promise made by Count Alcoy in his note to Lord Howden of the 15th March last, to the effect that all the emancipated negroes now in Cuba under the Treaty of 1817 should receive their freedom upon the expiration of their respective terms of apprenticeship.

In the answer to my note from Señor Calderon de la Barca, translation of which I have the honour herewith to transmit, your Lordship will observe that his Excellency fully acknowledges the force and value of the promise made by Count Alcoy, and states that under date of the 18th instant the most peremptory instructions had been sent to the Captain-General of Cuba to carry into execution the decision of Her Catholic Majesty's Government in this matter.

I have, &c.
(Signed) L. C. OTWAY.

Inclosure in No. 465.

Señor Calderon de la Barca to Mr. Otway.

Sir *Madrid, October* 25, 1853.

ALMOST simultaneously with your note of the 23rd instant, relative to the fact of the emancipated negroes not having as yet been liberated in the Island of Cuba, a communication from the General Colonial Office has been received at this Foreign Office, stating, in reply to an official letter from my predecessor, the reasons why the promise of Her Majesty's Government, to which you allude in your note, relative to the fate of the aforesaid emancipated negroes, had not been carried into effect.

It appears from the above-mentioned communication from the Colonial Office, that the fulfilment of the orders issued by the Government relative to this affair, has been delayed in consequence of several doubts as to the manner of carrying them into effect having occurred to the Captain-General of the Island of Cuba; but that in order to prevent any further delay in the liberation of the emancipated negroes in question, the most peremptory instructions have been sent to the aforesaid functionary, under

* No. 458.

date of the 18th instant, directing him to endeavour to overcome any difficulties which may occur in this matter, and to carry into full effect what has been determined by Her Majesty's Government.

I avail, &c.

(Signed) A. CALDERON DE LA BARCA.

No. 466.

The Earl of Clarendon to Mr. Otway.

Sir, *Foreign Office, November* 4, 1853.

ON receipt of your despatch of the 8th of August last, I transmitted to Mr. Consul-General Crawford an extract containing that portion of General Lersundi's letter to you of the 25th of July, which related to a communication alleged to have been addressed to the authorities of Cienfuegos by a person named Quesseil, who represented himself to be the agent of Mr. Crawford.

I now inclose a copy of a despatch* which I have received from Mr. Crawford, stating that if the Captain-General of Cuba had addressed to him an inquiry respecting this matter he could have at once satisfied the Captain-General that he had no knowledge whatever of John Quesseil.

And I have to instruct you to embody the substance of Mr. Crawford's despatch in a note to the Spanish Minister for Foreign Affairs, who will see in this affair a proof of the lengths to which General Cañedo is carried by his animosity against Mr. Crawford.

I am, &c.

(Signed) CLARENDON.

No. 467.

The Earl of Clarendon to Mr. Otway.

Sir, *Foreign Office, November* 4, 1853.

WITH reference to my despatch of the 14th ultimo, respecting the case of certain Indians of Yucatan, who had been decoyed by a person named Anduze and carried to Cuba to be sold into slavery, I transmit to you, herewith, a copy of a further despatch† from Mr. Crawford, &c., reporting the difficulties interposed by the Captain-General in the way of M. Carvallo, the Mexican Consul at Havana, who is endeavouring to obtain their release. And I have to instruct you to communicate to the Spanish Government the substance of Mr. Crawford's despatch.

I am, &c.

(Signed) CLARENDON.

No. 468.

The Earl of Clarendon to Mr. Otway.

Sir, *Foreign Office, November* 4, 1853.

I TRANSMIT herewith a copy of a despatch‡ which I have received from Mr. Consul-General Crawford, reporting that on the 14th or 15th of September, 260 African negroes were landed at the Ensenada del Carmelo, on the south side of Cuba, and were conveyed from thence to the sugar

* No. 602. † No. 606. ‡ No. 604.

estate called "Bagaes," belonging to Don Manuel Pastor, who, Mr. Crawford states, is at present in Spain.

I have to instruct you to make known the facts of this landing to the Spanish Minister for Foreign Affairs, who will probably think it right and fitting that the Spanish Government should communicate thereupon with Don Manuel Pastor, and should inform Her Majesty's Government of the result.

I am, &c.
(Signed) CLARENDON.

No. 469.

The Earl of Clarendon to Mr. Otway.

Sir, *Foreign Office, November* 4, 1853.

I TRANSMIT to you herewith a copy of a despatch* from Mr. Crawford, &c., reporting the circumstances under which 180 Bozal negroes were landed at a place called Ensenada de Cortes in Cuba, on the 15th of September last, and inclosing copies of his correspondence with the Cuban Government thereupon. And I have to instruct you to request that the Government of Her Catholic Majesty will make the circumstances of this case fully known to the new Captain-General.

I am, &c.
(Signed) CLARENDON.

No. 470.

Mr. Otway to the Earl of Clarendon.—(Received November 8.)

My Lord, *Madrid, November* 2, 1853.

WITH reference to your Lordship's despatch of the 10th ultimo, directing me to express to Her Catholic Majesty's Minister for Foreign Affairs the satisfaction with which Her Majesty's Government have learnt the declaration made to me in the course of conversation with Señor Calderon de la Barca, that he would do all in his power to cause the Treaty engagements of Spain towards Great Britain to be faithfully observed, I have the honour to forward to your Lordship herewith a copy of the note which, in obedience to those instructions, I addressed to Señor Calderon de la Barca.

I have the honour to inclose likewise a translation of the note which I have just received from his Excellency in acknowledgment.

I have, &c.
(Signed) L. C. OTWAY.

Inclosure 1 in No. 470.

Mr. Otway to Señor Calderon de la Barca.

Sir, *Madrid, October* 23, 1853.

I TOOK the earliest opportunity of communicating to Her Britannic Majesty's Minister for Foreign Affairs the very satisfactory assurances given me by your Excellency in a conversation which I had with you,

shortly after your acceptance of your present office, as to your firm determination to do all in your power to cause the Treaty engagements of Spain towards Great Britain for the suppression of the Slave Trade to be faithfully and religiously observed; and I do not think I can fulfil the instructions with which I have, in consequence, just been honoured by Lord Clarendon, in a manner more pleasing to his Lordship and gratifying to myself, than in forwarding to your Excellency the accompanying copy of the despatch to me in which they are contained.

I avail, &c.
(Signed) L. C. OTWAY.

Inclosure 2 in No. 470.

Señor Calderon de la Barca to Mr. Otway.

(Translation.)

Sir, *Madrid, October* 29, 1853.

WITH your note of the 23rd instant, I had the honour of receiving the copy which you were pleased to transmit to me, of a despatch addressed to you by Her Britannic Majesty's Secretary of State for Foreign Affairs, in which his Lordship expresses his satisfaction at the assurances which I had the opportunity of giving to you in one of our last interviews, respecting the course which I intended to pursue on the question of the Slave Trade.

It is highly satisfactory to me that the Government of which you are the Representative should thus do justice to Her Majesty's Government; and I feel also a pleasure in expressing to you my thanks for the readiness with which you were pleased to transmit to Lord Clarendon the above-mentioned assurances, which, together with your aforesaid readiness, are a fresh testimony of the sincere wish by which the two Governments are animated of cultivating, as hitherto, their friendly relations.

I avail, &c.
(Signed) A. CALDERON DE LA BARCA.

No. 471.

The Earl of Clarendon to Mr. Otway.

Sir, *Foreign Office, November* 25, 1853.

I TRANSMIT herewith a copy of a despatch* which I have received from Mr. Lindegren, Her Majesty's Consul in Porto Rico, inclosing a copy of a representation which he has addressed to the Captain-General of Porto Rico respecting the renewal of the practice of sending slaves from Porto Rico to Cuba for sale.

You will observe that the Captain-General has answered Mr. Lindegren by stating that this is a matter which must be decided by the Spanish Government; and I have therefore to instruct you to bring this affair under the notice of the Spanish Minister for Foreign Affairs, and to request that his Excellency will cause precise orders to be sent to the Governors of Porto Rico and of Cuba directing them to prohibit the practice in question.

I am, &c.
(Signed) CLARENDON.

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* No. 663.

No. 472.

Mr. Otway to the Earl of Clarendon.—(Received December 1.)

My Lord, *Madrid, November 25, 1853.*

IN obedience to the instructions contained in your despatch of the 4th instant, I addressed a note to Señor Calderon de la Barca communicating the correspondence which had passed between the Captain-General of Cuba and Her Majesty's Consul-General at the Havana, relative to a landing of 260 Bozal negroes at Ensenada del Carmelo, on the southern coast of Cuba, on or about the 14th or 15th of September last.

His Excellency in a note, translation of which I have the honour herewith to inclose, informs me that orders have been sent to the Captain-General of Cuba to institute the necessary inquiry into the matter.

I have, &c.
(Signed) L. C. OTWAY.

Inclosure in No. 472.

Señor Calderon de la Barca to Mr. Otway.

(Translation.)

Sir, *Madrid, November 22, 1853.*

I HAVE the honour to acknowledge the receipt of your note of the 10th instant, inclosing copies of the correspondence which has passed between Mr. Crawford and General Cañedo, relative to a landing of 260 Bozal negroes, which, according to the statement of the British Consul at the Havana, took place at the Ensenada del Carmelo, on the southern coast of Cuba, on the 14th or 15th of September last,

I have the honour to state to you, in reply to your aforesaid note, that the proper instructions have been sent, under this day's date, to the Captain-General of the Island of Cuba, desiring him to ascertain the real truth which may exist in the fact which has given rise to Mr. Crawford's denunciation.

I avail, &c.
(Signed) A. CALDERON DE LA BARCA.

No. 473.

Mr. Otway to the Earl of Clarendon.—(Received December 1.)

My Lord, *Madrid, November 25, 1853.*

I HAVE the honour to inclose a translation of a note which I have just received from Señor Calderon de la Barca, in answer to the communication which, in compliance with the orders conveyed to me in your Lordship's despatch of the 4th instant, I addressed to his Excellency on the 10th instant, relative to a disembarkation of 180 Bozal negroes, reported by Mr. Crawford to have occurred at a place called the Ensenada de Cortes on the 18th of September last.

I have, &c.
(Signed) L. C. OTWAY.

Inclosure in No. 473.

Señor Calderon de la Barca to Mr. Otway.

(Translation.)

Sir, *Madrid, November* 22, 1853.

I HAVE had the honour of receiving your note, dated the 10th instant, in which, in reference to a communication from Mr. Crawford, you denounce the disembarkation of 180 negroes, which, according to Mr. Crawford's statements took place at the Ensenada de Cortes, in the Island of Cuba, on the 18th of September last.

I have the honour to state to you that the necessary information respecting the case in question has been requested, under this day's date, from General Pezuela, and that so soon as it reaches this office I will lose no time in communicating it to you.

I avail, &c

(Signed) A. CALDERON DE LA BARCA.

No. 474.

Mr. Otway to the Earl of Clarendon.—(Received December 3.)

My Lord, *Madrid, November* 26, 1853.

IN fulfilment of the instructions conveyed to me in your Lordship's despatch of the 14th ultimo, I lost no time in addressing to Señor Calderon de la Barca a representation on the subject of the correspondence which had passed between Mr. Crawford and the Captain-General of Cuba relative to a person named Anduze, found guilty of decoying Yucatan Indians, and sending them to the Havana as slaves; I have now the honour to inclose herewith a translation of the reply to that representation which I have just received from his Excellency.

I have, &c.

(Signed) L. C. OTWAY.

Inclosure in No. 474.

Señor Calderon de la Barca to Mr. Otway.

(Translation.)

Sir, *Madrid, November* 23, 1853.

I HAVE received your note dated the 24th ultimo, wherewith you were pleased to inclose copies of the communications addressed, by order of the Captain-General of the Island of Cuba, to Her Britannic Majesty's Consul, Mr. Crawford, on the occasion of a project supposed to be entertained by an individual called Anduze, for transporting native Indians from Yucatan to the Havana, to be dealt with as slaves.

You observe, at the same time, that the Captain-General maintains, in the aforesaid communications, that the case in question is not comprised in the Treaty of 1835 between Spain and Great Britain for the suppression of the Traffic in Slaves proceeding from Africa.

The question is, therefore, as far as I understand, relative to the isolated fact of some Indians having been exported from Yucatan and conveyed in a small vessel to the Mugeres Islands, therefrom to be trans-

ported, as you assert, to the Havana. Mr. Crawford, on this occasion, considered himself authorized to address representations on the subject to the Captain-General, interpreting, in his own way, the above-mentioned Treaty.

The aforesaid superior authority rejected the unfounded and constant pretension of the British Consul of overstepping the attributions to which he is confined by his character of commercial agent, and of interfering, diplomatically, in international matters, which neither Mr. Crawford nor General Cañedo himself, notwithstanding his high position, were, in any case, authorized to discuss.

Such are the principal points contained in your note. Her Majesty's Government, which has taken them into consideration, can find no sufficient reason for the supposition which has been hazarded, giving to the aforesaid facts and to the Treaty of 1835 an interpretation which Her Majesty's Government can never admit by the words that "it is a proof of General Cañedo's readiness to encourage the Slave Trade in whatever quarter it may be carried on."

Such an interpretation, and the aforesaid assertions offensive to the superior Spanish authority in Cuba, would render useless a discussion which, placed on that ground, might become a disagreeable one.

But, at the same time, I consider it my duty to state to you that Her Majesty's Government, having considered it useful for the Island of Cuba to import Indians from Yucatan as colonists, has come to an understanding on the subject with the Mexican Government, to which it would hasten to give satisfaction, if necessary, as well with regard to any fraudulent immigration of the aforesaid Indians, as respecting the existing internal regulations for that sort of colonists.

The Government of which you are the Representative is too equitable and enlightened not to perceive that if it has itself the legitimate right of importing into the British colonial possessions African negroes as colonists, establishing for their management such internal regulations as it has thought proper to adopt, without any foreign Government whatsoever having, even indirectly, pretended to interfere with an internal question of Great Britain; the Spanish Government has a not less perfect right to import into the Island of Cuba, either natives from Yucatan, Asiatics, or any other class of emigrants whom it may consider useful for the prosperity of the aforesaid Antille.

I avail, &c.

(Signed) A. CALDERON DE LA BARCA.

No. 475.

Lord Howden to the Earl of Clarendon.—(*Received December* 8.)

My Lord, *Madrid, December* 1, 1853.

I HAVE the honour of inclosing to your Lordship herewith translation of a note to Mr. Otway from Señor Calderon de la Barca, in answer to the representations which he addressed to General Lersundi, in obedience to the instructions contained in your Lordship's despatch of the 8th of September last, relative to the conveyance, in June and July last, from Porto Rico to Cuba, of some 60 or 70 negroes who were intended for sale at the Havana, and requesting that this traffic might be put an end to.

Your Lordship will observe the reasons put forward by the Spanish Government for declining to comply with this request.

I have, &c.

(Signed) HOWDEN.

Inclosure in No. 475.

Señor Calderon de la Barca to Mr. Otway.

(Translation.) *Madrid, November* 29, 1853.

THE Undersigned, Her Catholic Majesty's First Secretary of State for Foreign Affairs, has taken cognizance of the note of Her Britannic Majesty's Chargé d'Affaires dated the 13th September last, in which, with reference to the British Consul at Porto Rico, he states that a number of slaves have been transported from that island to that of Cuba for the purpose of selling them; and he requests that instructions should be sent to Her Majesty's authorities in that part of her dominions, directing them to prevent similar facts in future.

In consequence of similar representations made by Her Britannic Majesty's Legation at a former period, Her Majesty's Government had the opportunity of demonstrating that as slavery exists in the Spanish Antilles, and as a slave is a property like any other one of which his owner can freely dispose, in the same manner that he has the right of transferring him from one plantation to another, he is also entitled to transport him from one island to the other in the Spanish Antilles; and, should ever the authorities attempt to prevent it in any way, they would commit an act contrary to the use of the sacred rights of property which the Government would be unable to uphold.

The internal Traffic of Slaves who have been legitimately acquired neither was, nor is, the object of the Treaties concluded in 1817 and 1835 for the abolition of the Traffic of African Bozal negroes; and in support of this doctrine and of the statement contained in the preceding paragraph, there are powerful reasons which Her Britannic Majesty's Chargé d'Affaires will perceive from a perusal of the notes of this office dated the 1st of June and 23rd of August, 1851, to which the Undersigned entirely refers, on replying to the above-mentioned note from Her Britannic Majesty's Chargé d'Affaires.

The Undersigned, &c.

(Signed) A. CALDERON DE LA BARCA.

No. 476.

The Earl of Clarendon to Mr. Otway.

Sir, *Foreign Office, December* 8, 1853.

I HAVE received your despatch of the 26th ultimo, inclosing a copy of the answer returned by M. Calderon de la Barca to the note which you were instructed to address to his Excellency respecting the Yucatan Indians who had been kidnapped by a person residing at Belize, and sent to Cuba as slaves.

I have to instruct you to present a note to M. Calderon de la Barca, stating first, with regard to his Excellency's supposition that Mr. Crawford has transgressed the proper limits of his functions by making any representation to the Captain-General upon such a matter as this, that you have been directed again to refer the Spanish Government to the agreement which was signed by Sir Henry Bulwer and Señor Martinez de la Rosa, on the 4th of November, 1845, as to the communications to be addressed by the British Consul-General at Havana to the Captain-General of Cuba upon matters relating to the Slave Trade; and you will state that Mr. Crawford was fully borne out by the terms of that agreement, in addressing to General Cañedo the representation contained in his letter to the General, of the 14th of July last. For, by Article I of the Treaty between Great Britain and Spain, of the 28th of June, 1835, it was declared, on the part of Spain, that the Slave Trade was to be thenceforward totally and finally abolished in all parts of the world. And there is no stipulation in that Treaty which renders it, as M. Calderon seems

to suppose, applicable only to negroes, and to negroes exported from Africa.

With regard to M. Calderon's statement, that the British Government exercises the right of importing African negroes as colonists into the British colonies, you will observe to his Excellency that he must be well aware that negroes brought to British colonies are perfectly free; that they have all the rights of free labour, and that they can no more be reduced to the condition of slavery in a British colony than in Great Britain itself.

Her Majesty's Government will ask M. Calderon de la Barca whether he can conscientiously say that the Indians imported from Yucatan are intended to be free in Cuba, and if not, whether the cases are analogous. But if they are not to be free, and if the Spanish Government is not prepared to prove that those Indians are in the full and unrestricted enjoyment of their liberty in Cuba, then their importation into that island is a direct violation of Article I of the Treaty of 1835; and the persons who bring the Indians to Cuba, and the vessels in which they are brought, are liable to be dealt with, and will be dealt with, according to the provisions of that Treaty.

I am, &c.
(Signed) CLARENDON.

No. 477.

The Earl of Clarendon to Lord Howden.

My Lord, *Foreign Office, December* 15, 1853.

I HAVE to refer your Lordship to my despatch of the 15th of October to Mr. Otway, inclosing a draft of an official letter which he was to address to the Spanish Minister for Foreign Affairs, urging the adoption of a more stringent penal law against the Slave Trade in Cuba.

As I have not yet received the answer of the Spanish Government upon this matter, I transmit herewith a copy of a despatch* which I have received from Mr. Crawford, repeating the suggestions which he has already made respecting the proposed law; and I have to instruct your Lordship to mention the subject to M. Calderon de la Barca, and to point out to his Excellency that the amendments of the existing law which have been suggested by Mr. Crawford, would be of great assistance to Spanish authorities really desirous of acting upon the orders of the Spanish Government for the suppression of the Slave Trade.

I am, &c.
(Signed) CLARENDON.

No. 478.

The Earl of Clarendon to Lord Howden.

My Lord, *Foreign Office, December* 15, 1853.

I TRANSMIT herewith a copy of a despatch† from Mr. Crawford, together with an extract of a despatch‡ from Her Majesty's Commissary-Judge at the Havana, respecting the lists of the emancipados which ought to have been furnished to the Mixed Court of Justice by the Captain-General of Cuba, in conformity with Articles V and VI of Annex C to the Treaty of June 26, 1835. And with reference to the assurance contained in the note from Señor Bertran de Lis to Mr. Otway, of the 9th of September, 1852, I have to instruct your Lordship to inform the Spanish Minister for Foreign Affairs that this promise has not been fulfilled.

Your Lordship will state, that the production of these lists will not become unnecessary because the Spanish Government is about to perform its engagement to liberate the emancipados before the expiration of this

* No. 616. † No. 621. ‡ Class A, No. 31.

month; but it is now of more importance even than it was before, in order that it may be satisfactorily seen that the authorities of Cuba fully carry into effect the generous intentions communicated to Her Majesty's Government in the official letter which the Count de Alcoy addressed to your Lordship on the 15th of March last.

I am, &c.
(Signed) CLARENDON.

No. 479.

The Earl of Clarendon to Lord Howden.

My Lord, *Foreign Office, December* 15, 1853.

WITH reference to Mr. Otway's despatch of the 5th of July last, relative to the case of the two sons of the deceased Jamaica negress Nancy, whose liberation from slavery has been claimed by Mr. Forbes, Her Majesty's Consul at St. Jago de Cuba, I transmit herewith a copy of a despatch* which I have received from Mr. Crawford, inclosing Mr. Forbes' reply to the observations upon this claim which are contained in General Lersundi's letter to Mr. Otway of the 29th of June last.

I have to instruct your Lordship to communicate to M. Calderon de la Barca the substance of Mr. Forbes' reply, and to state to his Excellency that as the balance of evidence is clearly in favour of the negress Nancy having been a British subject, Her Majesty's Government hope that no further opposition will be made by the Spanish Government to her sons being liberated from slavery.

I am, &c.
(Signed) CLARENDON.

No. 480.

The Earl of Clarendon to Lord Howden.

My Lord, *Foreign Office, December* 15, 1853.

I TRANSMIT herewith copies of a despatch† and of its inclosure from Mr. Crawford, &c., reporting the activity with which the Slave Trade is now being carried on with the Island of Cuba; and I have to instruct your Lordship to make such use of this information as you may deem right and proper.

I am, &c.
(Signed) CLARENDON.

No. 481.

The Earl of Clarendon to Lord Howden.

My Lord, *Foreign Office, December* 15, 1853.

I TRANSMIT herewith copies of despatches which I have received from Her Majesty's Consul at Barcelona, and from Her Majesty's Consul-General in Cuba,‡ respecting a Spanish vessel called the "*Paquita,*" which it appears has made more than one successful voyage in the Slave Trade, and is now probably at Santander.

I have to instruct your Lordship to take measures in order that the movements of this vessel, and the proceedings of her consignees in Spain, may be watched.

I am, &c.
(Signed) CLARENDON.

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* No. 620. † No. 622. ‡ Nos. 506 and 616.

No. 482.

The Earl of Clarendon to Lord Howden.

My Lord, *Foreign Office, December* 19, 1853.

I TRANSMIT herewith a copy of a despatch* which I have received from Mr. Crawford, Her Majesty's Consul-General in Cuba, inclosing copies of a correspondence which has passed between him and the Captain-General of Cuba, respecting a letter which Mr. Crawford addressed to his Excellency on the 8th ultimo, complaining that on one of the first days of November 600 or 700 negroes were landed on the north coast of the island, in an open and scandalous manner.

Your Lordship will make known this correspondence to the Spanish Government, and you will request that the present Captain-General may be instructed to abide by the agreement made between Sir Henry Bulwer and M. Martinez de la Rosa, in November 1845, as it is absolutely necessary that the British Consul-General at Havana should communicate with the chief authority in Cuba upon matters which affect not only the general interests of humanity, but the Treaty engagements between the two countries.

I am, &c.
(Signed) CLARENDON.

No. 483.

The Earl of Clarendon to Lord Howden.

My Lord, *Foreign Office, December* 19, 1853.

I TRANSMIT herewith, for your Lordship's information and for communication to the Spanish Government, copies of two despatches† which I have received from Her Majesty's Consul-General in Cuba, reporting that a schooner destined for the Slave Trade is being fitted in the port of Havana with the masts and sails which belonged to a slave-vessel condemned as prize to Her Majesty's ship "Vestal;" and that 300 fresh Africans were landed at the Ensenada de Cochinos in the middle of October.

I am, &c.
(Signed) CLARENDON.

No. 484.

Lord Howden to the Earl of Clarendon.—(*Received January* 9, 1854.)

My Lord, *Madrid, December* 24, 1853

I HAVE the honour to transmit to your Lordship herewith a translation of a note which I have received from Señor Calderon de la Barca in answer to the notes which, in obedience to the instructions contained in your Lordship's despatches of the 14th October and 4th November, Mr. Otway addressed to his Excellency on the 23rd October and 10th of November, relative to landings of Bozal negroes, denounced by Mr. Crawford as having taken place at the Ensenada de Cortes, at the Ensenada del Carmelo, and at San Juan de los Remedios.

I have, &c.
(Signed) HOWDEN.

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* No. 624. † Nos. 626 and 627.

Inclosure in No. 484.

Señor Calderon de la Barca to Mr. Otway.

(Translation.)

Sir, *Madrid, December* 12, 1853.

THE Captain-General of the Island of Cuba has addressed to this First Secretary of State's Office two communications relative to the landings of Bozal negroes, which the British Consul stated had taken place at the Ensenada de Cortes, at the Ensenada del Carmelo, and at San Juan de los Remedios, and which have been the subject of the two notes from the British Legation, dated the 10th of November and the 23rd of October of this year.

From the aforesaid communications, it appears that the most efficient investigations have been made for the purpose of ascertaining the truth respecting the facts denounced by Mr. Crawford, persons of well-known capacity and accredited honesty having been commissioned to that effect; that the most peremptory orders have been issued to the Governors of those districts where the landings were supposed to have taken place, instructing them to spare no exertion whatever for the purpose of obtaining positive data on the subject; that secret agents have also been sent out for the same purpose; and, finally, that the good faith on the part of one of the aforesaid Governors has been carried so far as to employ the agents of Mr. Crawford themselves, in order to elucidate the circumstances of the case.

All the above-mentioned steps, however, have been completely unsuccessful in obtaining any trace whatsoever of correctness respecting two of the denunciations above alluded to; and as regards the landing which was stated to have taken place at El Carmelo, only some rumours, but no data, existed of its having been carried into effect with such ability as to have succeeded in baffling the active vigilance of the authorities. The judicial proceedings on every one of the aforesaid cases are, however, still being carried on, and I will lose no time in communicating to your Lordship the result thereof so soon as it is made known to me; but in the meantime I cannot abstain from drawing your attention to the circumstance of the disembarkation at Los Remedios and at the Ensenada de Cortes having been found to be untrue, because it is a proof that, in the present instance, as on former occasions, Mr. Crawford has acted in virtue of incorrect information, on which, prompted by an exaggerated zeal, he has founded his numerous denunciations, which subsequently turn out to be devoid of foundation.

This conduct would be less objectionable if the British Consul should confine himself to communicating, in becoming language, to the Captain-General of the Island of Cuba his more or less well-founded suspicions of disembarkation of slaves; but it becomes, indeed, most painful when he ventures to set forth accusations so unfounded as the one contained in Mr. Crawford's communication to the Captain-General, dated the 30th of September last, in the 3rd paragraph whereof he asserts that the vessel which was supposed to have effected the landing at the Ensenada de Cortes, "formed, with her half-burnt hulk, and those of two other slave-vessels, a most insulting memento of the disregard which was shown to the law." Such an assertion was utterly incorrect, since the Spanish vessels of war made a scrupulous search in those waters, as the Captain-General states, and found nothing which might confirm the statement of the British Consul.

There being, therefore, such frequent proofs of the total want of foundation in the accusations brought forward by Mr. Crawford against the authorities of the Island of Cuba, it appears still more unreasonable that he should use such intemperate language in regard to the aforesaid authorities as that contained in his communications to his Government, copies of which were inclosed in t e notes from the British Legation to

which I am now replying; but as the accusations mentioned in the above-mentioned communications have been contradicted by facts, I consider it useless to make them the subject of a disagreeable discussion.

I avail, &c.

(Signed) A. CALDERON DE LA BARCA.

No. 485.

Lord Howden to the Earl of Clarendon.—(*Received January* 17.)

(Extract.) *Madrid, January* 10, 1854.

I HAVE the honour of transmitting to your Lordship translation of a note I have just received from the Minister for Foreign Affairs, in answer to a desire expressed by your Lordship that an improvement should be made in the Spanish penal laws, as they relate to the Traffic in Slaves, together with a copy of my reply.

Inclosure 1 in No. 485.

Señor Calderon de la Barca to Lord Howden.

(Translation.)

My Lord, *Madrid, January* 7, 1854.

MR. OTWAY'S note, dated the 21st of October last, and your Lordship's of the 28th ultimo, have been received in due time at this office, both of them being intended to request the amendment of the Penal Law relative to the Slave Trade in Cuba, because the British Government considers such Law to be inefficient.

In the former of the aforesaid notes, and as a proof of the necessity of the measure in question, Mr. Otway quoted the fact of the Captain-General of the Island of Cuba having already acted, in the persecution of the Slave Trade, in conformity with the spirit of reform manifested by the English Government, since that functionary has authorized the search made in the interior of the estates of private individuals.

On this point your Lordship will allow me to observe, that the act of General Cañedo, alluded to in the aforesaid note, was consented to by Her Catholic Majesty's Government, notwithstanding its being beyond the powers vested in that functionary, because it only attended to its ardent wish of extinguishing the Slave Trade. Had the Spanish Government not borne in mind the noble zeal by which the aforesaid extreme measure was dictated, and the object it was intended to attain, it was not to be supposed that it would have approved of it; especially if it could have foreseen that it would be subsequently invoked as a precedent to establish the pretension of converting into a law what was only an exceptional case, the repetition of which ought necessarily to give rise to difficulties and conflicts of no inconsiderable gravity.

Your Lordship, and the enlightened Government of which you are the worthy Representative, cannot but acknowledge the great inconvenience which would result from any innovation which might be now introduced, and which might be the cause of molesting the owners of slaves in the quiet possession of those which they have legally acquired. But besides the reasons of expediency on this grave question, there is a still more powerful one, namely, that Her Majesty's Government is not empowered, according to the Constitution of the State, to carry into effect the amendment of the Penal Law in question. For this purpose the cooperation of the co-legislative bodies would be required; and your Lordship is aware that, when the 9th Article of the aforesaid Law was discussed in the Senate, it was peremptorily established that its object ought to be to

afford the greatest guarantees to the owners of slaves acquired previously to the Treaty of 1835, against the excesses on the part of the authorities. And if such was, at that time, the mind of the aforesaid legislative body, it is not to be expected that it would now consent to a reform, the tendency whereof is precisely to destroy the guarantees created by the aforesaid Article IX of the Penal Law, which was the result of an amendment to the original project of the Government, constitutionally presented and approved by the majority of the Senate.

These frank and loyal explanations, which I willingly give to your Lordship, and the assurance that the Spanish Government will spare no legal means whatsoever which may be in its power to carry into effect the extinction of the Slave Trade, will induce, I trust, the British Government to desist from soliciting the reform it wishes for, which, besides being, as I have just had the honour of stating to your Lordship, beyond the powers vested in the Government of Her Catholic Majesty, might be productive, if attempted to be carried into effect, of most serious consequences, in the present state of the Island of Cuba.

I have, &c.

(Signed) A. CALDERON DE LA BARCA.

Inclosure 2 in No. 485.

Lord Howden to Señor Calderon de la Barca.

Sir, *Madrid, January* 10, 1854.

I HAVE had the honour of receiving your Excellency's note, dated the 7th instant, in answer to the proposition made by Her Britannic Majesty's Government, for the consideration of that of Her Catholic Majesty, that the Law respecting the importation of negroes into Cuba should be amended, from it being proved to be absolutely ineffective as it stands.

I shall lose no time in transmitting this note home, for the consideration of my Government, and for whatever observations it may think proper to make upon it.

I shall limit my own observations to two, although I think they must already have presented themselves to your Excellency's mind:

Your Excellency says that it is a very grave matter to molest the inhabitants of the Island of Cuba in the possession of their slaves legally acquired.

To which I answer, that it is the desire of the Government of Her Britannic Majesty, in virtue of a Treaty made between Spain and England, to molest, and to molest only, the inhabitants of Cuba in the possession of slaves illegally acquired.

Your Excellency says, with a Constitutional conviction which, as an Englishman, I readily acknowledge, that, in order to make any change in the laws of the country, it is necessary to have the cooperation of the Chambers.

I feel convinced that the present Government will adhere scrupulously to a declaration which will give the liveliest satisfaction to the friends of Constitutional Monarchy; but I trust your Excellency will acquit the English Government of any inconsistency in having made the proposition, from the circumstances that there are now never any Chambers in Spain to enact laws, and that the constant promulgation of Decrees, on subjects far less serious and binding than national faith, has not appeared, to many other Ministries, so painfully obnoxious as it most properly and meritoriously does to that of which your Excellency is so distinguished and so conscientious a member.

I avail, &c.

(Signed) HOWDEN.

No. 486.

The Earl of Clarendon to Lord Howden.

My Lord, *Foreign Office, January* 20, 1854.

I HAVE received your Lordship's despatch of the 10th instant, inclosing a translation of the answer returned by Señor Calderon de la Barca to the representation of Her Majesty's Government, pointing out the defects and urging the amendment of the Spanish Penal Law against Slave Trade of the 2nd of March, 1845; and I have to state that I entirely approve of the reply which your Lordship made to Señor Calderon's note.

I am, &c.
(Signed) CLARENDON.

No. 487.

The Earl of Clarendon to Lord Howden.

My Lord, *Foreign Office, January* 24, 1854.

WITH reference to previous correspondence respecting the Yucatan Indians who had been carried off to Cuba and sold as slaves by a man named Anduze, I transmit to your Lordship herewith, for your information, a copy of a despatch* from Mr. Crawford, &c., reporting the state of the proceedings which have been taken in the Cuban law courts with the view of bringing to justice the persons in Cuba concerned in the abduction of these Mexican citizens.

I am, &c.
(Signed) CLARENDON.

No. 488.

Lord Howden to the Earl of Clarendon.—(*Received January* 25.)

My Lord, *Madrid, January* 13, 1854.

IN reference to your Lordship's despatch to Mr. Otway of 4th November last, respecting a landing of 260 African negroes reported by Mr. Consul-General Crawford to have been effected at the Ensenada del Carmelo, on the south side of Cuba, and their subsequent conveyance to the sugar estate called Bagaes, belonging to Don Manuel Pastor, who is now in Spain, I have the honour to transmit to your Lordship herewith a translation of the note and its inclosure, which I have received from Señor Calderon de la Barca, in answer to the representation addressed to his Excellency upon this matter by Mr. Otway.

I have, &c.
(Signed) HOWDEN.

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* No. 630.

Inclosure 1 in No. 488.

Señor Calderon de la Barca to Lord Howden.

(Translation.)

My Lord, *Madrid, January* 4, 1854.

IN consequence of the note from the British Legation, dated the 10th of November last, in which, with reference to communications from the British Consul at the Havana, it was stated that 260 Bozal negroes, who were supposed to have been landed at the Ensenada del Carmelo, had been conveyed to an estate belonging to Don Manuel Pastor; this individual, who is now at Madrid, was made acquainted with the statement mentioned in the aforesaid note, and he has addressed to the Colonial Office an official letter in reply, denying that the Bozal negroes in question had ever been conveyed to his above-mentioned estate, and alleging in his defence the reasons which your Lordship will perceive by perusing the inclosed copy.

I have, &c.

(Signed) A. CALDERON DE LA BARCA.

Inclosure 2 in No. 488.

The Count of Bagaes to the President of the Council of Ministers.

(Translation.)

Most Excellent Sir, *Madrid, December* 14, 1853.

IN reply to the Royal order which your Excellency has been pleased to communicate to me on the 2nd instant, relative to the landing of 260 Bozal negroes at the Ensenada del Carmelo, in the Island of Cuba, and to their subsequent supposed conveyance to my estate called San José de los Bagaes—a case denounced to the Captain-General of the island and to its Government by Her Britannic Majesty's Consul at the Havana, Mr. Crawford—I have to state that the fact of the aforesaid negroes having been introduced into my estate is not correct, and that as to their having been landed at the aforesaid Ensenada, which is unknown to me, as my estate, although situated on the south coast of the island, is only near to the spot called Fasagera, in the Ensenada de la Broa, I am perfectly ignorant of the fact. That part of the coast is extremely marshy, and although there is a ditch for the drainage of the soil, which has communication with the sea, neither does that ground belong to me, nor can I prevent the public from passing by the same. It is excessively painful to me that Mr. Crawford, without possessing the data and certainty which are required to bring forward an accusation of this kind, should have ventured to make a denunciation, so devoid of truth, against an absent person who takes no participation in that sort of business, and who is, moreover, withheld from engaging in it by his station in life, his absence from the island, and by his respect to the Government and the existing Treaties; being also deterred from such speculations by his personal interest, since being convinced, from experience, of what has taken place in other places and at different times, of the liability of negroes not accustomed to the climate to be attacked by cholera, and of the advantage of maintaining the numerous slaves of his estate in their exeellent state which is publicly known, he does not feel inclined to put the existence of his estate in jeopardy, in the present state of Cuba, for the sake of a paltry profit, should there be any, and even if it were offered to him—an offer which has, however, never been made, and which would be rejected by his agents, who would be careful not to endanger the interests entrusted to them under the clearest instructions.

I have, therefore, the pleasure of stating to your Excellency that the

denunciation in question is utterly incorrect; that the buildings of my estate have not served as a place of concealment for the negroes in question, nor will they serve in future, and during my absence, because, although my agents will not overstep my instructions, I now recommend to them again to fulfil them with the greatest punctuality; although they cannot be held responsible for any landings which might take place in the vicinity of my estate, just as no inhabitant of a town can be made answerable for a crime which may be committed in the street where he lives; but, at all events, Mr. Crawford may rest assured that such landings will never take place with the assistance and connivance of my agents, and I hope, therefore, that, after he has been better informed, he will restore to my character, both in the eyes of his Government and of the Captain-General of Cuba, the respectability which is justly due to me.

God preserve, &c.

(Signed) EL CONDE DE BAGAES.

No. 489.

Lord Howden to the Earl of Clarendon.—(*Received January* 25.)

My Lord, *Madrid, January* 13, 1854.

WITH reference to your Lordship's despatch of the 15th ultimo, respecting a Spanish vessel called the "*Paquita*," suspected of being engaged in the Slave Trade, and supposed to be at Santander, I have the honour to transmit to your Lordship herewith copy of a letter which I have just received from Her Majesty's Vice-Consul at that port, in reply to my communication to him upon this subject, from which your Lordship will perceive that this vessel has not yet made its appearance there, though shortly expected.

I have also taken such steps with the Spanish Government as appeared to me to be necessary and expedient to have the movements of this vessel, and the proceedings of her consignees in Spain, well watched.

I have, &c.

(Signed) HOWDEN.

Inclosure in No. 489.

Vice-Consul Montalvan to Lord Howden.

My Lord, *Santander, January* 10, 1854.

I HAVE the honour to acknowledge the receipt of your Lordship's letter of the 29th ultimo, to which I have not replied sooner, as all my endeavours to obtain information respecting the Spanish brig "*Paquita*" had been up to this morning fruitless. I have now the pleasure to communicate to your Lordship that I have just this moment ascertained that the said vessel had left Havana with a cargo of 1,600 boxes of sugar bound to this port, where she is consequently expected to arrive very soon.

I will then consider it my duty to lay before your Lordship what further information I may obtain concerning the future destination of the said brig, and in the meantime I have, &c.

(Signed) JOSEPH M. MONTALVAN.

No. 490.

Lord Howden to the Earl of Clarendon.—(*Received January* 25.)

My Lord, *Madrid, January* 13, 1854.

I HAVE the honour to inclose translation of a note which I have received from Señor Calderon de la Barca, in answer to the one which I addressed to his Excellency in pursuance of the instructions conveyed to me in your Lordship's despatch of the 19th ultimo, relative to the fitting out, in the port of Havana, of a slaver, with the masts and sails belonging to a condemned slave-vessel, and to the landing of 300 negroes at the Ensenada de Cochinos in October last.

I have, &c.
(Signed) HOWDEN.

Inclosure in No. 490.

Señor Calderon de la Barca to Lord Howden.

(Translation.)

My Lord, *Madrid, January* 7, 1854.

I HAVE received your Lordship's note of the 30th of December last, inclosing copies of two despatches which have been addressed to the Earl of Clarendon by the British Consul in Cuba, relative, the former to a schooner which, he says, is being fitted out at the port of Havana for the Slave Trade, and the latter to a landing of 300 Bozal negroes, which he supposes to have taken place at the Ensenada de Cochinos in the middle of October.

I have the honour to state to your Lordship, in reply, that the contents of your aforesaid note have been this day communicated to the Colonial Office, in order that the two aforesaid cases may be referred to the Captain-General of the Island of Cuba for information, and so soon as this functionary's reply on the subject has been received I shall lose no time in communicating it to your Lordship.

I avail, &c.
(Signed) A. CALDERON DE LA BARCA.

No. 491.

The Earl of Clarendon to Lord Howden.

My Lord, *Foreign Office, January* 26, 1854.

I TRANSMIT to your Lordship herewith copies of two despatches* and of their inclosures from Mr. Crawford, &c., from which your Lordship will learn the circumstances under which three British seamen, who formed part of the crew of a slave-vessel called the "*Jasper*," have been brought to the Havana for trial before the Royal Audiencia Pretorial.

Your Lordship will observe that the Captain-General refused to allow Mr. Crawford to appoint counsel for the defence of these men, asserting that it would be contrary to Spanish law to comply with Mr. Crawford's request.

I have, therefore, to instruct your Lordship to inquire of the Government of Her Catholic Majesty whether the Captain-General of Cuba was legally empowered to prevent Her Majesty's Consul-General from appointing counsel for the defence of these men before the Court of Audiencia.

I am, &c.
(Signed) CLARENDON.

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* Nos. 588 and 631.

No. 492.

The Earl of Clarendon to Lord Howden.

My Lord, *Foreign Office, January 27,* 1854.

I TRANSMIT herewith a copy of a despatch* which I have received from Her Majesty's Consul-General at Havana, inclosing a copy of an Ordinance which was issued by the Captain-General of Cuba on the 20th ultimo, providing for the liberation of some of the emancipados in that island.

Her Majesty's Government observe with extreme regret that the terms of this Decree do not fulfil the promise made on the part of the Spanish Government by Count Alcoy in the note which he addressed to your Lordship on the 15th of March last, stating that freedom would be granted to all the negroes who were brought to Cuba in ships captured and condemned under the Treaty of 1817, and also to those adjudicated under the Treaty of 1835, who may have completed their five years of apprenticeship.

The first part of this promise is so far answered by the Ordinance of December 20, that freedom is nominally granted to the emancipados of a date previous to 1835, but even this concession is so fettered with restrictions that it will probably turn out to be a mere illusion; and the second part of the promise of March 1853 is, so far as this Ordinance goes, wholly disregarded.

Your Lordship will point out to M. Calderon de la Barca the incomplete and unsatisfactory manner in which that promise, solemnly made by the Spanish Government, has been carried out by the Captain-General of Cuba, and you will strongly urge that instructions may be sent to the Captain-General to issue a fresh Ordinance in accordance with the terms of Count Alcoy's note.

I am, &c
(Signed) CLARENDON.

No. 493.

Lord Howden to the Earl of Clarendon.—(*Received January* 29.)

My Lord, *Madrid, January* 23, 1854.

IN my despatch of the 13th instant, I mentioned having taken certain steps with Her Catholic Majesty's Government in order that the Spanish vessel "*Paquita*," suspected of being engaged in the Slave Trade, might be watched. I herewith have the honour to inclose to your Lordship translation of a note which I have received from Señor Calderon de la Barca upon this subject.

I have, &c.
(Signed) HOWDEN.

Inclosure in No. 493.

Señor Calderon de la Barca to Lord Howden.

(Translation.)

My Lord, *Madrid, January* 13, 1854.

IN reply to your Lordship's note of the 4th instant, requesting that the movements of the Spanish vessel "*Paquita*," now lying at anchor at Santander, and which, according to your Lordship's statements, is supposed to have been engaged in, and to be still destined for, the Slave Trade, should be watched by the proper authorities, I have the honour to state that the contents of your Lordship's aforesaid note have been this

* No. 638.

day transcribed to the Colonial Office, for the adoption of such measures as may be thought most expedient; and so soon as I receive an answer, I shall lose no time in communicating it to your Lordship.

I avail, &c.
(Signed) A. CALDERON DE LA BARCA.

No. 494.

Lord Howden to the Earl of Clarendon.—(*Received January* 29.)

My Lord, *Madrid, January* 23, 1854.

I HAVE the honour to forward to your Lordship the inclosed extraordinary document, in which it pleases Her Catholic Majesty's Secretary for Foreign Affairs, his Excellency Señor Don Angel Calderon de la Barca, valorously to vindicate for Spain an independence which I never attacked, and to allude to the Legislative attributions of the Cortes, with a sort of dignified and conscientious complacency, at a time not very felicitous, when Councils are held daily for the purpose of overturning the Constitution.

I have, &c.
(Signed) HOWDEN

Inclosure in No. 494.

Señor Calderon de la Barca to Lord Howden.

(Translation.)

My Lord, *Madrid, January* 20, 1854.

I HAVE received the note which your Lordship has done me the honour of addressing to me, under date of the 10th instant, acknowledging the receipt of my communication of the 7th instant, in which I stated to your Lordship the reasons which prevented Her Majesty's Government from acceding to the proposal of the Government of Great Britain, relative to the reform of the existing Penal Law against Slave Trade.

Before knowing whether the Government of Her Britannic Majesty will appreciate, as I expect it will, the above-mentioned reasons, your Lordship nevertheless considers yourself entitled to make two observations, which you declare to be on your own account.

The first of these observations is answered and explained by stating that my note clearly made reference, not to the reprobated Traffic of Slaves, but to the possession of those legitimately acquired.

In the second of your Lordship's aforesaid observations, you acknowledge on the one hand the force of the reasons wherewith I proved that the Government has no power to make by itself, and without the cooperation of the Cortes, the important reforms which are proposed to it; whilst, on the other hand, your Lordship ventures to make certain insinuations which the dignity of an independent Government cannot otherwise than repel.

Were it not for the consideration that I think it more becoming the decorum of Her Majesty's Government to abstain from entering into any discussion with your Lordship on this subject, it would be very easy for me to demonstrate how little consistent with each other are your two aforesaid observations; because if as an Englishman, your Lordship states that you applaud and admire the circumspection of a Government which refuses to make alterations in the laws, such a declaration is far from being in harmony with your insinuating to the same Government that it ought to modify the Penal Law in question by a Decree.

These and other observations which would occur to me as a private individual, in reply to those made by your Lordship, I would be unable to bring forward in the name of Her Majesty's Government, which, as I

have stated above, has a perfect right to have its prerogatives, as the Government of an independent nation, duly respected. But should I as a private individual find myself in the position of discussing such matters, I would endeavour to confine myself in my communications to the style and tone which the gravity of the subject in question requires.

I therefore request your Lordship to consider the present answer as a consequence of the necessity under which you have placed me of replying to your Lordship's communication, and to allow me to refer myself; and to recommend that we should both abide by what I stated in my aforesaid note of the 7th instant, which your Lordship will undoubtedly have already transmitted to your Government.

I avail, &c.

(Signed) A. CALDERON DE LA BARCA.

No. 495.

The Earl of Clarendon to Lord Howden.

My Lord, *Foreign Office, February* 6, 1854.

I HAVE received your Lordship's despatch of the 13th ultimo, reporting that you had taken steps to cause the movements of the suspicious Spanish vessel "*Paquita*" to be watched on her arrival at Santander, at which port she is shortly expected from Havana; and I have to inform your Lordship that I approve your proceedings in this matter.

I am, &c.

(Signed) CLARENDON.

No. 496.

Lord Howden to the Earl of Clarendon.—(*Received February* 7.)

My Lord, *Madrid, January* 30, 1854.

IN reference to my despatches of the 13th and 23rd instant, I have the honour to inclose copy of a further letter which I have received from Her Majesty's Vice-Consul at Santander, reporting the arrival in that port of the Spanish brig "*Paquita*," Francisco Segovia, master; and announcing that the departure of this vessel for the Havana has been advertised as to take place from the 20th to the 25th of February next.

I have, &c.

(Signed) HOWDEN.

Inclosure in No. 496.

Vice-Consul Montalvan to Lord Howden.

My Lord, *Santander, January* 26, 1854.

WITH reference to my letter of the 10th instant, I now beg to communicate to your Lordship that the Spanish brig "*Paquita*," Francisco Segovia, master, has arrived in this port with a cargo of sugar from Havana, after having touched and performed quarantine at Vigo.

I have further to inform your Lordship that the consignee of this vessel has advertised her departure for Havana, with a cargo of flour and passengers, from the 20th to the 25th of February next.

I have, &c.

(Signed) JOSEPH M. MONTALVAN.

No. 497.

The Earl of Clarendon to Lord Howden.

My Lord, *Foreign Office, February* 13, 1854.

WITH reference to my despatch to your Lordship of the 27th ultimo, respecting the Decree which was issued by the Captain-General of Cuba on the 20th of December last, for the partial liberation of some of the emancipados in that island, I now transmit to you a copy of a further despatch* which I have received from Her Majesty's Consul-General at the Havana on this subject.

I also transmit to your Lordship a copy of a despatch† which I have received from Her Majesty's Commissary Judge at the Havana, containing his report on the state of Slave Trade in Cuba during 1853; and inclosing, among other papers, a copy of a further Decree issued by the Captain-General of that island on the 1st of January last, containing regulations respecting the emancipados both under the Treaties of 1817 and 1835.

You will perceive that Mr. Crawford, in his inclosed despatch, draws especial attention to the evils arising from the non-fulfilment by the Government of Cuba of the stipulations of the Vth and VIth Articles of Annex C to the Anti-Slave Trade Treaty of the 28th of June, 1835, according to the provisions of which the Mixed Commission Court should be periodically furnished with lists of all the emancipados existing in the island.

I have accordingly to instruct your Lordship again to point out to the Spanish Government the great importance of having a complete list of all the emancipados in Cuba furnished to the Mixed Commission Court at Havana, in order that the intentions of the two Governments with respect to their liberation may be carried out; and you will urge the Spanish Government to send the necessary instructions to the Marquis de Pezuela no longer to delay the fulfilment of the stipulations of the Treaty of 1835 in that respect; and to make good the distinct assurance conveyed in the letter addressed to Mr. Otway by Señor Bertran de Lis on the 9th of September, 1852, stating that instructions to the above effect had been sent to the then Captain-General of Cuba. There is reason to hope that the present Captain-General is animated with a sincere desire to put down the Slave Trade, and I am therefore the more anxious that these instructions should be addressed to his Excellency.

I am, &c.
(Signed) CLARENDON.

No. 498.

Lord Howden to the Earl of Clarendon.—(*Received February* 22.)

My Lord, *Madrid, February* 16, 1854.

I HAVE the honour to inclose translation of a note which I have received from Señor Calderon de la Barca, in reply to the representation which I addressed to his Excellency, in pursuance of the instructions contained in your Lordship's despatch of the 19th of December last, relative to the fitting out in the port of the Havana of a slaver, with the masts and sails of a vessel condemned as a prize to Her Majesty's ship "Vestal."

I have, &c.
(Signed) HOWDEN.

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* No. 643. † Class A, No. 38.

Inclosure in No. 498.

Señor Calderon de la Barca to Lord Howden.

(Translation.)

My Lord, *Madrid, February* 11, 1854.

WITH reference to my note of the 7th of January last, in which I stated to your Lordship that, under the same date, information had been requested from the Captain-General of the Island of Cuba, through the Colonial Office, respecting the fitting out of a schooner for the Slave Trade, which your Lordship stated was being carried on at the Havana, with the masts and sails of the schooner "*Venus*," which had been condemned as a prize, I have the honour of acquainting your Lordship with the particulars which have been just received from the aforesaid Captain-General on the subject in question.

It appears, from his Excellency's report, that the authorities of the port of the Havana having taken the most efficient steps for the purpose of ascertaining whether there was any truth in the fact which had been denounced, it was found out that the vessel in question was a schooner which had been built, with the proper permission, in the ship-yard belonging to Don Juan Critas, and that she was moored alongside the wharf, ready to receive her rigging; that she bore as yet no name, and that her dimensions were: 100 feet, length over all; from 22 to 23 feet wide; and from 12 to 13 feet perpendicular.

The Captain of the Port having searched the hold of the aforesaid vessel, found only some pigs of ballast to keep her upright, but nothing else which might induce to believe that she was destined for the Slave Trade; there being, moreover, the circumstance, that up to the aforesaid date, no offer had been made to purchase her.

I avail, &c.

(Signed) A. CALDERON DE LA BARCA.

No. 499.

Lord Howden to the Earl of Clarendon.—(Received February 24.)

My Lord, *Madrid, February* 17, 1854.

WITH reference to your Lordship's despatch of the 26th ultimo, relative to the refusal of the Captain-General of Cuba to allow Mr. Consul-General Crawford to appoint counsel for the defence of three British seamen, who formed part of the crew of a slave-vessel called the "*Jasper*," I have the honour to inclose translation of a note which I have received from Señor Calderon de la Barca, in acknowledgment of the one which I addressed to his Excellency upon this question.

I have, &c.

(Signed) HOWDEN.

Inclosure in No. 499.

Señor Calderon de la Barca to Lord Howden.

(Translation.)

My Lord, *Madrid, February* 15, 1854.

IN reply to your Lordship's note of the 3rd instant, relative to three British seamen who, your Lordship states, have been conveyed to the Havana, to be tried before the Royal Audiencia Pretorial, I have the honour to state that the contents of your Lordship's aforesaid note have been communicated, under this day's date, to the Colonial Office, for the

purpose of obtaining from the same the proper information respecting the fact alluded to by your Lordship; and so soon as I receive an answer, I will hasten to communicate it to your Lordship.

I avail, &c.

(Signed) A. CALDERON DE LA BARCA.

No. 500.

The Earl of Clarendon to Lord Howden.

My Lord, *Foreign Office, February* 25, 1854.

I TRANSMIT to your Lordship herewith, copies of two despatches* from Mr. Crawford, &c., inclosing copies of his correspondence with the Captain-General of Cuba, relative to the landing of slaves in that island, and respecting the arrangements said to be in progress on the part of the Portuguese Brazilian Slave Trade Association, for commencing a considerable importation of slaves into Cuba, from the coast of Africa.

Your Lordship will say to the Spanish Minister for Foreign Affairs, how gratifying it is to Her Majesty's Government to have to offer thanks to the Spanish Government, instead of making complaints; and to find that the acts of the present Captain-General are in accordance with the promises of his Government.

Her Majesty's Government now venture to look forward to a state of improvement in Cuba, that will promote the cause of humanity, and will remove that constant source of discord which of late has menaced the friendly relations between the two countries.

I am, &c.

(Signed) CLARENDON.

No. 501.

The Earl of Clarendon to M. de Comyn.

Foreign Office, March 18, 1854.

THE Undersigned, &c., has the honour to state to M. de Comyn, &c., that he has received from Mr. Backhouse, the British Commissary Judge in the Mixed Court of Justice at Havana, copies of a correspondence which has passed between Mr. Backhouse and the Captain-General of Cuba relative to an application which, in conformity with Articles V and VI of Annex C to the Treaty of June 28, 1835, between Great Britain and Spain, the Undersigned had instructed Mr. Backhouse to make to the Marquis de la Pezuela for information respecting the number of emancipados who have been liberated under the Ordinance issued by his Excellency on the 1st of last January, and also respecting the number of those who, in conformity with Article II of that Ordinance, will still have to serve an apprenticeship.

It appears from the answer returned to Mr. Backhouse, by direction of the Captain-General on the 1st of February, that the Marquis de la Pezuela has declined to communicate the information in question to Her Majesty's Commissary Judge, but has promised to transmit these lists to Her Catholic Majesty's Mission in London.

Under these circumstances the Undersigned has the honour to request that M. de Comyn will be so good as to furnish him with all the particulars which he may have received from the Marquis de la Pezuela respecting these emancipados, in order that Her Majesty's Government may be able to judge whether the Captain-General of Cuba has fully carried into effect the stipulations of the Annex to the Treaty of 1835 above referred to.

The Undersigned, &c.

(Signed) CLARENDON.

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* Nos. 643 and 646.

No. 502.

M. de Comyn to the Earl of Clarendon.—(*Received March* 22.)

(Translation.) *Spanish Legation, March* 21, 1854.

THE Undersigned, Chargé d'Affaires of Her Catholic Majesty, has the honour to acknowledge receipt of the note which his Excellency the Earl of Clarendon, &c., addressed to him on the 18th instant, and in reply he hastens to forward, in compliance with the request of his Excellency, a literal copy of the statement of emancipated negroes which he received a few days ago for that purpose from the Governor Captain-General of the Island of Cuba, the result of communications which had taken place between that superior authority and the Judge Commissioner of Her Britannic Majesty in the Court of Mixed Commission established in the Havana.

The Undersigned, &c. (Signed) JUAN S. COMYN.

Inclosure in No. 502.

Statement of Emancipated Negroes captured by English Cruizers and by the Subaltern Authorities of this Island.

Resulting from captures made by English cruizers		8,764
Captured by the subaltern authorities of the island		2,479
General total		11,243
Given up to England, being out of those captures made by her cruizers as soon as they were declared emancipated by the Mixed Tribunal; these were carried to the Island of Trinidad, of the Windward Islands	978	
Liberated up to the close of December 1840	147	
Liberated up to the 30th day of November, 1853	2,063	
Dead, run away, maroons in rebellion [cimarrones apalencados], lunatic, and inmates of almshouses	5,957	
		9,145
Liberated, and at present hired out as labourers in conformity with the Ordinance published on the 1st of January last, because they wished to remain in the island.		2,098

Nota.—Among the 2063 liberated up to the 30th day of November, 1853, there are 600 with 124 children who were given up to English functionaries in this place, from the 30th September, 1844, to the 18th June, 1852, and were carried to Jamaica in the English Royal Mail Steamers.

Another.—Amongst those dead there is one whom Don José Maria Clairac, Accountant of Rs., stated to be dead, but who appears since to have been sold, in regard to which a criminal suit is instituted, and that officer is now removed from his office and in close imprisonment.

Another.—There is also one among the runaways who has presented himself, his place of abode was unknown since 1837.

Havana, February 6, 1854. (Signed) JOSE ESTEVAN,
Secretary to Government.

No. 503.

Lord Howden to the Earl of Clarendon.—(*Received March* 24.)

My Lord, *Madrid, March* 17, 1854.

IN obedience to the instructions contained in your Lordship's despatch of the 13th ultimo, I addressed a note to Señor Calderon de la Barca, again pointing out the great importance of having a complete list of all the emancipados in Cuba furnished to the Mixed Commission Court at the Havana, and pressing for the fulfilment of the engagement conveyed to Mr. Otway in Señor Bertran de Lis' official communication of the 9th September, 1852.

Señor Calderon de la Barca, in his answer, translation of which

I have the honour to inclose herewith, states that the expediency of immediate compliance with my demand has been pointed out to the Direction-General of the Colonies.

I have, &c.
(Signed) HOWDEN.

Inclosure in No. 503.

Señor Calderon de la Barca to Lord Howden.

(Translation.) *Madrid, March* 14, 1854.

THE Undersigned, First Secretary of State for Foreign Affairs, has the honour of stating to Her Britannic Majesty's Minister Plenipotentiary that he has communicated to the Colonial Office, for the adoption of the proper decision on the subject, his Lordship's note of the 21st of February last, with its inclosures, relative to the expediency of the Mixed Commission Court at the Havana being furnished, without loss of time, with a complete list of all the emancipados existing in the Island of Cuba.

The Undersigned, &c.
(Signed) A. CALDERON DE LA BARCA.

SPAIN. (*Consular*)—*Barcelona.*

No. 504.

The Earl of Clarendon to Consul Baker.

Sir, *Foreign Office, August* 25, 1853.

I TRANSMIT herewith an extract of a despatch* which I have received from Mr. Campbell, Her Majesty's Consul for the Bight of Benin, containing a description of two vessels which were captured in the Rio Pongas on the 23rd of April last by the boats of Her Majesty's sloop "Linnet," and which are said to have been fully equipped for the Slave Trade at Barcelona.

I have to instruct you to endeavour to obtain information respecting the time when those vessels left Barcelona, the names of the parties to whom they belonged, and the connexions of the supercargo mentioned in Mr. Campbell's despatch. I am, &c.

(Signed) CLARENDON.

No. 505.

Consul Baker to the Earl of Clarendon.—(*Received September* 10.)

My Lord, *Barcelona, September* 5, 1853.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 25th ultimo, inclosing an extract of a despatch from Mr. Campbell, Her Majesty's Consul for the Bight of Benin, in relation to two vessels reported to have been equipped for the Slave Trade at Barcelona, and captured on the 23rd April last in the River Pongas by the boats of Her Majesty's sloop "Linnet," and directing me to report the names of the parties to whom these vessels belonged, and the connexions of the supercargo mentioned in Mr. Consul Campbell's despatch.

I have spared no efforts in endeavouring to carry out your Lordship's instructions, but regret to state that I have been unable to obtain any information respecting these vessels. In making inquiries, I could not expect the assistance of any one in Barcelona, the greatest secrecy being observed, and every possible precaution adopted by parties engaged in this infamous Traffic to escape detection.

As there have been no clearances direct for Africa, the two vessels probably cleared out on a coasting voyage, and either from some other port in Spain took their departure for the coast of Africa, or pursued their voyage direct from Barcelona with only a coasting clearance. Even the names of vessels arriving at or clearing from this Custom-house for ports within the principality do not appear in the shipping registers, nor is any special record kept of such arrivals and departures. Had Mr. Consul Campbell mentioned the names of the vessels when captured, or even the name of the supercargo, which I suppose might have been obtained from the list of passengers kept on board the mail-packet "Forerunner," in which vessel he took his passage for Teneriffe, such information would

* No. 14.

have given a most valuable clue to have got at those details which are now desired.

My impression is that the two vessels captured by Her Majesty's sloop "Linnet" could not, if they really belonged to Barcelona, have sailed since my appointment, because I have not failed to watch the different vessels in port, with the view of confidentially reporting to your Lordship such particulars as I could procure of any of suspicious character, and adapted for the Slave Trade. The two vessels referred to in Mr. Consul Campbell's despatch were exactly of the class to have attracted my notice.

I have, &c.
(Signed) JAMES BAKER.

No. 506.

Consul Baker to the Earl of Clarendon.—(*Received September* 10.)

My Lord, *Barcelona, September* 5, 1853.

I DEEM it my duty to lose no time in reporting to your Lordship that I have this day received such intelligence concerning a Spanish vessel, sailed from this port yesterday, as induces me to suspect she may be intended for some slave expedition.

The vessel is a brig called the "*Paquita,*" Francis Segovia master, with a crew of twenty men, measuring about 300 tons (Spanish), with very long lower masts, and short topmasts, which are painted white, and allowing sufficient space for royal yards, though she left Barcelona under only topgallant yards. She is painted black, with a narrow red streak, and has a fiddle head, with a gilt wreath. Her appearance on the water was that of a new vessel, although not so; she lays light on the water with a full cargo of wine, spirits, and oil on board, and her sides are distinguished for their narrow planking. She is reported to be an extraordinary fast sailer, having already been engaged in this iniquitous Traffic, and has contrived to escape twice from British men-of-war when in chase of her.

She has cleared from this port for the Havana, where her owners, Messrs. Sama, Brothers, reside, and I am led to believe that she will actually proceed to the Havana, deliver the present cargo, and then probably sail for the coast of Africa. The consignees here are Messrs. Torrents, Brothers, a rich firm, chiefly connected with the cotton trade.

I have, &c.
(Signed) JAMES BAKER.

No. 507.

The Earl of Clarendon to Consul Baker.

Sir, *Foreign Office, September* 17, 1853.

WITH reference to your despatch of the 5th instant respecting the two vessels captured in the River Pongas, which are reported to have been equipped for the Slave Trade at Barcelona, I have to acquaint you that Consul Campbell has been directed to report, if he can, the name of the supercargo referred to in his despatch.

And with regard to the names of the vessels in question, I have to inform you that Mr. Campbell's despatch stated that those names had been studiously concealed. He added that the brigantine was condemned as the "*Paulina,*" but that she had been also called the "*Pinar*" and the "*Anana,*" and that the name of the schooner was quite unknown.

I am, &c.
(Signed) CLARENDON.

No. 508.

Lord Wodehouse to Consul Baker.

Sir, *Foreign Office, December* 12, 1853.

WITH reference to the contents of your despatch of the 5th of September, I am directed by the Earl of Clarendon to inform you, that inquiry has been made of the African Steam-Packet Company, and of the captain of the "Forerunner," as to the name of the supercargo of the two slaving-vessels captured in the Rio Pongas, by Her Majesty's ship "Linnet," and who was known to have taken refuge in the "Forerunner," from Sierra Leone to Teneriffe, in May last; but that Lord Clarendon has been informed that 8 Spaniards were conveyed on that occasion between Sierra Leone and Teneriffe; and that as they were all deck passengers, their names were not entered on the list. It is, however, still possible that Mr. Campbell may ascertain the man's name from the African Company's agent at Sierra Leone.

I am, &c.
(Signed) WODEHOUSE.

No. 509.

Consul Baker to the Earl of Clarendon.—(*Received December* 28.)

My Lord, *Barcelona, December* 22, 1853.

I HAVE the honour to acknowledge the receipt of a despatch from the Foreign Office, of the 12th instant, communicating further information respecting the supercargo of the two slaving-vessels captured in the Rio Pongas, by Her Majesty's ship "Linnet."

I have, &c.
(Signed) JAMES BAKER.

SPAIN. *(Consular)—Havana.*

No. 510.

Consul-General Crawford to Lord John Russell.—(*Received April* 2.)

My Lord, *Havana, March* 10, 1853.

I REGRET that it is again my disagreeable duty to lay before your Lordship copy of a denouncement which I addressed to the Captain-General of this island, on the 8th instant, of a disembarkation of about 500 Bozal negroes, a few days previous to that date, effected on the coast between Sagua and Cardenas, the vessel having, it is said, been run on shore, and 97 of the unfortunate negroes drowned in consequence.

His Excellency, in acknowledging the receipt of my communication, admits that, three days before that date, he had heard of this violation, and had taken the necessary steps for investigation of the facts.

I have some reason to think that there has been a very curious circumstance connected with the reported drowning of these negroes; and as soon as I can get at the truth, I shall not fail to report it to your Lordship; in the meantime, what I have heard induces me to believe that the story of so lamentable a loss of life is altogether an invention of the parties interested in the adventure, for the purpose of covering a transaction of a most daring character, for the introduction of a part of their cargo of slaves at a place nearer to the seat of Government, and which has actually been done successfully.

I have, &c
(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 510.

Consul-General Crawford to the Captain-General of Cuba.

Havana, March 8, 1853.

I HAVE been informed that a cargo of Bozal negroes has bee landed a few days ago on the coast to the eastward of Cardenas; it is said that the vessel which brought them was run on shore, and that nearly 100 of these poor negroes were drowned; but that the remainder (upwards of 400), were safely landed. I shall esteem it a great favour that your Excellency should be pleased to inform me, for the information of Her Majesty's Government, the particulars of this most lamentable affair; and I shall be glad to learn, from official authority, that the loss of life has been overstated.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 2 in No. 510.

The Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, March* 9, 1853.

I HAVE received the attentive communication your Honour addressed to me of yesterday's date, acquainting me that, a few days ago, there had been a disembarkation of Bozal negroes on the coast to the eastward of Cardenas, and that nearly 100 of them had perished by drowning.

It is three days since the rumour of this disembarkation reached my knowledge, the particulars of which I endeavoured, on the instant, to make out, putting for that purpose into operation the most efficacious measures, which I hope will produce a favourable result, if, as I have reason to believe, seeing that my suspicions are confirmed by your Honour's communication, to which I now answer, the transaction turns out to be true.

I thank your Honour exceedingly for your information; and I shall profit by the details you refer to, the better to carry out these investigations.

God preserve, &c.

(Signed) VALENTIN CANEDO.

No. 511.

Consul-General Crawford to Lord John Russell.—(Received April 2.)

My Lord, *Havana, March* 12, 1853.

I HAVE the honour of reporting to your Lordship that the Bahama negress Mary Anne Bethel, whose redemption from slavery was effected with so much difficulty at the demand of Her Majesty's Government little more than a year ago, and who was permitted by the then Governor Captain-General, Don José de la Concha, to remain on this island, contrary to the dispositions sent from Madrid, upon the condition that she should be in my house and under my responsibility, having gone to a lodging to be cured of rheumatism in her knees, his Excellency General Cañedo has thought proper to order her removal, notwithstanding the remonstrance which I considered it was my duty to address to him on the poor creature's behalf.

I beg to lay this correspondence before your Lordship, and to state that I have paid Mary Anne's passage to Nassau by the steamer which leaves this to-day, *viâ* San Thomas, and the amount will, I hope, be allowed to me by Her Majesty's Government.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 511.

The Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, March* 4, 1853.

ON the 19th of January of the last year, 1852, Doña Aurora Rossi granted the paper of freedom to the negress Mariana, her slave, which document, in virtue of the Royal Order of the 14th November, was given to said negress, and immediately afterwards was placed by my predecessor, his Excellency General Don José de la Concha, under your Honour's care, with a request that in a short time she should be sent out of the island; and as this, although more than a year has transpired, has not been effected, I have desired that she should be taken up and deposited

for the said purpose, and in consequence of which your Honour will be pleased to inform me in what vessel, and on what day, her embarkation is to be effected, to give the necessary orders that the removal of said negress should be punctually fulfilled.

God preserve, &c.

(Signed) VALENTIN CANEDO.

Inclosure 2 in No. 511.

Consul-General Crawford to the Captain-General of Cuba.

Havana, March 5, 1853.

I HAVE the honour of acknowledging the receipt of your Excellency's letter of yesterday's date, respecting the negress Mary Anne Bethel, whose free papers were delivered to her about a year ago, in the manner referred to by your Excellency, and I am well aware that it was a condition that said Mary Anne should be sent out of the island; but his Excellency the Captain-General, Don José de la Concha, in consideration that this poor woman had been so long absent from the Bahamas, from whence she came, that she would be a stranger there if she was sent back again, was pleased to accede to my request that she should be allowed to remain here, on the precise condition that she should be in my employment and reside at my house.

The said Mary Anne Bethel accordingly did remain in my house as washerwoman from the time of her liberation from slavery till a few weeks ago, when she was afflicted with rheumatism, and went to live in the house of one of her acquaintances to have herself cured, and to return to her place in my employment.

I therefore have to represent to your Excellency that it would be a great favour to allow this said Mary Anne to remain here, on the same conditions as your Excellency's predecessor was pleased to permit: to send her to the Island of Eleuthera, in the Bahamas, from whence she came so long ago, would be indeed to send her to a strange country, and I hope that I may reckon upon your Excellency's goodness to grant her this indulgence, and allow her to return to her situation in my house. But should your Excellency determine otherwise, I shall provide a passage for said Mary Anne by the Royal mail-steamer which will leave this port about the 11th instant, in obedience to your Excellency's disposition to which I now do myself the honour of replying.

God preserve, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 3 in No. 511.

The Captain-General of Cuba to Consul-General Crawford.

Havana, March 9, 1853.

WHEN this Superior Government gave account to Her Majesty informing her that the Royal Order of the 14th November, 1851, was fulfilled, respecting that as pure favour the paper of freedom was given to the negress Mary Anne Bethel, without this serving as a precedent to posterior claims of a similar nature, the Supreme Government of the nation made known that it was directed that said negress should leave the island.

There is not to be seen in the proceedings on the subject the concession, which your Honour indicates in your official letter of the 5th instant as obtained from my predecessor, his Excellency Don José de la Concha, that she should remain in it. It is sufficient for me that your Honour thus affirms it, to take this particular for certain; but as your Honour adds that it was under the precise condition to be in your Honour's service,

living in your house, the infraction that Mary Anne has committed in moving to a different house, leaves by itself without any effect the favour which was granted.

In this state of things it is absolutely impossible to attend, as I should wish, to the desires of your Honour, in open opposition with the resolution of which Her Majesty is informed, and therefore I cannot do less than insist that as briefly as possible she leaves this country.

God preserve, &c.

(Signed) VALENTIN CANEDO.

No. 512.

Consul-General Crawford to Lord John Russell.—(*Received April* 2.)

My Lord, *Havana, March* 12, 1853.

I HAVE the honour of laying before your Lordship copy of a correspondence which I have had with General Cañedo relative to the emancipada Mamerta and her four children. The mother having received her free papers, the whole family was ordered away from the island, and the poor creature being desirous of remaining where she has been so long, rather than proceed to a strange country, where she does not even understand the language of the inhabitants, I requested the favour of her being allowed to remain with her family, assuring the Captain-General that she had always conducted herself in so creditable a manner that she could easily support herself and family. Your Lordship will perceive that my application has been refused, and consequently they proceed to Jamaica by the mail-steamer of this date.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 512.

The Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, March* 4, 1853.

UNDER this date, I have directed that there should be deposited at your Honour's disposition, for their removal from this island, the emancipados Lugardo, No. 184 of the brigantine "*Orestes*," and Mamerta, No. 290 of the brigantine "*Firme*," with four children, named Petronila, Isabel, José, and Juana, who have received their freedom; and although the said Mamerta has another daughter called Leonarda, she has run away since the 29th of September, 1849, with regard to whom summary proceedings have been made in investigating her residence, and as yet nothing has been known respecting it; but the investigation continues for the purpose of finding her, which as soon as it is effected she will be placed at your Honour's disposition that she may join her said mother.

In this understanding your Honour will please inform me in what vessel and on what day the said emancipados are to be embarked, for the purpose of giving the necessary orders to that effect.

God preserve, &c.

(Signed) VALENTIN CANEDO.

Inclosure 2 in No. 512.

Consul-General Crawford to the Captain-General of Cuba.

Havana, March 5, 1853.

IN doing myself the honour of acknowledging the receipt of your Excellency's letter of yesterday's date, acquainting me that free papers had been issued to Lugardo, No. 184 of the brig "*Orestes*," and to

Mamerta, No. 290 of the brig "*Firme,*" which two emancipados, with the four children of the latter, viz., Petronila, Isabel, José, and Juana, had been deposited by your Excellency's order to be sent away from the island (and at my disposition), for which purpose I should state to your Excellency by what vessel they are to be embarked.

I beg leave to state to your Excellency that the first opportunity which will present itself for the embarkation of those individuals will be the Royal mail-steamer "Dee," which I expect will sail from this port about the 11th instant.

But at the same time I would ask the favour of your Excellency to permit Mamerta and her children to remain in this island. I believe that her character is quite unexceptionable, and that she can easily find employment to maintain herself and her children in a creditable manner, having always behaved herself to the satisfaction of the masters to whom, as an emancipada, she has been assigned, and she is very desirous of being allowed to remain here.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 3 in No. 512.

The Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, March* 9, 1853.

I AM extremely sorry not being able to accede to your Honour's request respecting Mamerta and her children remaining in this island.

The practice generally observed with this class of negroes, conformable to the instructions of the Supreme Government, does not allow me to make in this particular an exception, without very special cause, which does not occur in the present case.

And I say this to your Honour in answer to your official letter of the 5th instant.

God preserve, &c.

(Signed) VALENTIN CANEDO.

No. 513.

The Earl of Clarendon to Consul-General Crawford.

Sir, *Foreign Office, April* 9, 1853.

I HAVE received from Mr. Forbes, Her Majesty's Consul at St. Jago de Cuba, a copy of your letter to him of the 15th of December last, stating that you had addressed to the Captain-General of Cuba a representation which you trusted would produce the release of the sons of the Jamaica negress Nancy, now deceased, whose claim to be liberated was, it appears, brought before the Spanish authorities by Mr. Forbes in February 1849.

If you should not have received, before this despatch reaches you, a favourable answer to your application in behalf of these two negroes, I have to instruct you to represent their case again to the Captain-General, and to state the interest taken in this matter by Her Majesty's Government.

I am, &c.
(Signed) CLARENDON.

No. 514.

The Earl of Clarendon to Consul-General Crawford.

Sir, *Foreign Office, April* 10, 1853.

I HAVE received your despatch of the 12th ultimo, relating to the case of the Bahama negress Mary Anne Bethel, who has been released from a long and unjust detention in slavery in the Island of Cuba, and who has been sent at your own expense to Nassau in the Island of New Providence; and I have also received your despatch of the same date, relating to the case of the emancipada Mamerta who, with her four children, has received free papers, and has been ordered to leave Cuba.

With reference to the applications which you made to Captain-General Cañedo to permit these persons to remain in Cuba, I have to instruct you to express to the Captain-General the regret of Her Majesty's Government at the decision which he took in these cases, and to say that Her Majesty's Government trust that a more lenient and conciliatory course will be pursued if it should in future be necessary for you to renew such applications upon good grounds.

With respect to the expense which you have incurred for the passage to Nassau of Mary Anne Bethel, I have to state to you that you are at liberty to charge the amount in the next bill which you may draw upon Her Majesty's Treasury for the expenses of the removal of emancipados from Cuba to British colonies.

I am, &c.
(Signed) CLARENDON.

No. 515.

The Earl of Clarendon to Consul-General Crawford.

Sir, *Foreign Office, April* 14, 1853.

WITH reference to your despatch of the 1st of December, 1852, respecting the fitting out for Slave Trade in Cuba of the American vessel "*Lady Suffolk*;" I now transmit to you, for any observations which you may have to offer thereupon, a copy of a note* which has been addressed by Count Alcoy, the Spanish Minister for Foreign Affairs, to Lord Howden, Her Majesty's Minister at Madrid, on the subject of that vessel, in reply to a note which his Lordship addressed to Count Alcoy by my directions.

I am, &c.
(Signed) CLARENDON.

No. 516.

Consul-General Crawford to Lord John Russell.—(*Received April* 18.)

My Lord, *Havana, March* 21, 1853.

I MOST respectfully beg your Lordship's reference to my despatch dated the 10th instant, in which I alluded to circumstances connected with the recent arrival of Bozal negroes at a place between Sagua and Cardenas, as having been of a very daring nature. I now beg leave to transmit herewith to your Lordship copy of further correspondence with the Captain-General respecting said violation of the Treaty; and I have the honour of acquainting your Lordship that the slaver in question appears to have been in charge of a Portuguese; that after the vessel got ashore, there was much disorder, so that only some 200 of the slaves were saved by the said master or owner; and that, with the exception of those who were lost in the sea, nearly all the rest were stolen by the coasting-craft and fishing-vessels which were about the place of the wreck, and

* Inclosure in No. 407.

upwards of 100 of them were brought into this port by the fishing-smacks and other craft, from which they were safely landed, and have been sold through the public brokers in that line of business, which it would seem is hardly credible should have taken place, as it were, under the very eyes of the authorities; and must, I should suppose, completely satisfy your Lordship that the Captain-General's circular of the 3rd of December has been wholly disregarded, and has not at all been enforced.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 516.

Consul-General Crawford to the Captain-General of Cuba.

Havana, March 16, 1853.

I HAVE the honour of acknowledging the receipt of your Excellency's letter of the 9th instant, in answer to my communication of the previous day's date, respecting a landing of Bozal negroes from a vessel which it was said had been run ashore on the coast of this island, to the eastward of Cardenas.

I have now the honour of stating to your Excellency that Her Britannic Majesty's cruizer "Buzzard" has visited the wreck of said slaver, which is (off the Medano) a short distance to the eastward of Cayo Verde; that the commander of the "Buzzard" found the wrecked vessel in possession of the Spanish authorities from Sagua la Grande; and that the bodies of 6 negroes had been found on board.

I have also learnt that the slaver in question was a brig, and that many of the Bozal negroes composing her cargo were saved by the coasting-schooners and fishing-vessels, or viveros, belonging to Havana; and it is said that upwards of 100 of said Bozals have been brought into and clandestinely landed in this port of Havana from the coasters or viveros, who took them from the wrecked slaver without any authority whatever.

Commander Dobbie, of Her Majesty's steamer "Buzzard," informs me that the slaver was wrecked on the 25th ultimo, and I understand the negroes brought into Havana were landed on or about a week or ten days afterwards.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 2 in No. 516.

The Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, March* 20, 1853.

I HAVE received your Honour's official letter of the 16th instant, in which you communicate to me various particulars relative to the vessel wrecked to the eastward of Cardenas, which is said to have brought Bozals; which details I have availed myself of, dictating, in consequence, the necessary measures for that purpose.

Which I say to your Excellency in answer.

God preserve, &c.

(Signed) VALENTIN CANEDO.

No. 517.

Consul-General Crawford to Lord John Russell.—(*Received April* 18.)

My Lord, *Havana, March* 22, 1853.

I HAVE the honour of reporting to your Lordship that Mr. Backhouse, Her Majesty's Commissary Judge in the Mixed Court of Justice at this place, established under the Treaty with Spain of the 28th of June, 1835, arrived yesterday evening on board Her Majesty's steam-sloop "Medea."

As soon as it is convenient, I shall present the Judge to his Excellency the Captain-General, and he will, no doubt, assume the duties of his office as soon as the formalities have been gone through of his recognition by General Cañedo, and that he has been sworn in, which I presume, however, will not be until after the present Easter holidays.

I have, &c.

(Signed) JOS. T. CRAWFORD.

No. 518.

Consul-General Crawford to Lord John Russell.—(*Received April* 18.)

My Lord, *Havana, March* 24, 1853.

IT is again my most unpleasant duty to bring under your Lordship's notice another most glaring infraction of the Treaty for the suppression of the Slave Trade, the particulars of which are stated in the copy of my letter to his Excellency the Captain-General, which I have the honour of transmitting herewith to your Lordship.

The vessel which brought these slaves is one of those alluded to in my despatch of the 26th of November last, when it was known that the Brigadier Pavia would be reinstated at Matanzas. This cargo has been landed at the same place nearly as that where the other was disembarked for which Pavia was suspended by General Concha; and the expedition belongs to the same parties in Matanzas.

I need, therefore, to make no further observation upon the glaring nature of this offence; but I feel myself called upon to repeat to your Lordship that the Slave Trade is most flourishing, and that in the course of a very short time many cargoes are expected, some of them almost hourly; and there can be no reasonable hope but that those to arrive will effect their introduction into the island as successfully, and with the same impunity of all parties concerned, as has for some time past been the case, the assurances of the Spanish Government, and General Cañedo's circulars, notwithstanding.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure in No. 518.

Consul-General Crawford to the Captain-General of Cuba.

Havana, March 23, 1853.

I HAVE received information upon which I can rely, that, on Saturday the 12th instant, a slaver arrived from the coast of Africa, which brought 1,100 or 1,200 Bozal negroes, who were safely landed at or near to Cardenas, by launches sent from that place for the purpose, and that the

vessel which brought these slaves was taken to Cayo Piedra, where she was burnt after the landing of her cargo had been effected.

Besides the numbers above-mentioned, I understand there were 200 more Bozal negroes on board the slaver alluded to, when she left the coast of Africa; but that they having, on more than one occasion, attempted to rise and take the vessel, as many as the number last mentioned were killed in suppressing said mutinies.

The name of the ship I have not learnt, but the captain's name is Don Antonio Capó, and he was accompanied on the voyage by his brother Don Pedro Juan Capó. I have also been informed that the expedition belongs to a number of persons in Matanzas, by whom the vessel was fitted out about five months ago, and that the fact of her having been so fitted out and dispatched was, I understand, well known in Matanzas at the time of her departure for the slave coast.

I have, &c.
(Signed) JOS. T. CRAWFORD.

No. 519.

The Earl of Clarendon to Consul-General Crawford.

Sir, *Foreign Office, April* 18, 1853

WITH reference to your despatch of the 1st of January last, inclosing your annual report on the state of Slave Trade in Cuba, I transmit to you the accompanying copy of a despatch* from Lord Howden, Her Majesty's Minister at Madrid, inclosing a copy of a note addressed to him by Count Alcoy, the Spanish Minister for Foreign Affairs, in answer to a note which I instructed his Lordship to address to Count Alcoy, founded on your despatch above mentioned. And I have to desire that you will address to me any observations which you may have to offer upon the inclosed note from Count Alcoy, and particularly as to the number of negroes which you state to have been landed in Cuba, in 1852.

I am, &c.
(Signed) CLARENDON.

No. 520.

Consul-General Crawford to the Earl of Clarendon.—(Received May 2.)

My Lord, *Havana, March* 29, 1853.

I BEG leave to lay before your Lordship, a copy of further correspondence which I have had with the Captain-General respecting the recent landing of slaves, subject of my previous despatch of the 24th instant.

Your Lordship will observe that General Cañedo assumes that the number of the negroes landed upon this occasion was very much less than they were stated by me to his Excellency, but which I have good reason for asserting was not the fact. The vessel, barque rigged, measured upwards of 400 tons American, and if, as we know to have been the case, the felucca "*Colombia*" brought 150 Bozals to Cabañas, besides her crew of eleven persons, and measured twenty-nine tons only, I do not consider that there could be any difficulty in the slaver which came to Cardenas on the 12th instant, bringing 1,100 or 1,200, besides the 200 who were killed upon the voyage in the attempts which were made to rise upon the slave crew. But it seems there was an object in under-estimating the number of slaves of this expedition, as I shall explain to your Lordship.

The officer sent from this in combination with the Lieutenant-Governor of Cardenas and the Governor of Matanzas, proceeded to search for, and

* No. 408.

seize Bozal negroes upon the estates in those districts, as well as to arrest several parties who were implicated in this expedition; but after having caused great alarm and consternation to the slave-traders, those active measures were suddenly abandoned, and the parties who had been arrested were set at liberty, the authorities remaining with about 290 or 300 Bozal negroes who, it is supposed, will be declared emancipados, and as such, the original parties who were the owners of the slaver have, as I understand, hopes of getting them back, because of the general outcry which that numerous class of persons at once raised against the measures of the Captain-General, which they qualified as outrageous and illegal, citing the second paragraph of the Penal Law, Article IX, as prohibitory of the interference of the authorities in such cases.

My agent at Matanzas writes that the proceedings have been closed, and that it is shown upon them how that in consequence of the escape of Don Antonio Capó, the master of the slaver, nothing could be proved against the other parties; and that the 290 or 300 Bozals who were seized by the Captain-General's orders, constituted the whole number of slaves landed from the vessel in question.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 520.

The Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, March* 25, 1853.

RUMOURS of a new disembarkation in the neighbourhood of Cardenas having occurred on the 12th current reached my notice, and, without the loss of a moment, I dictated the necessary orders, in the execution of which not only is engaged the Lieutenant-Governor of that place, but the Governor of Matanzas and an officer of high character whom, for that purpose, I thought proper to commission; promising myself, from all of their efforts, the most favourable results.

To this date some Bozals have been captured, and various persons have been arrested on account of their complicity in this reprobated disembarkation; one of those whom I have ordered to be placed in security being Don Antonio Capó, indicated as having been the captain of the slaver.

But as your Honour, in the communications of the 23rd current, makes the cargo mount up to 1,100 or 1,200 negroes, I would state to you that the most probable data until now indicates a contingent of a much smaller figure. The number you state would have required a vessel of colossal dimensions for their transport; consequently, of very considerable value, such as it is not likely the outfitters would disregard destroying it, as has been done in this case.

God preserve, &c.

(Signed) VALENTIN CANEDO.

Inclosure 2 in No. 520.

Consul-General Crawford to the Captain-General of Cuba.

Havana, March 26, 1853.

I HAVE the honour of acknowledging the receipt of your Excellency's letter of the 25th instant, and I beg leave to thank your Excellency for the communication which you have been pleased to make to me with

regard to the measures your Excellency has dictated for the capture of the Bozals and arrest of the parties interested in their introduction into this island, which I shall take the earliest opportunity of communicating to Her Majesty's Government.

With regard to the number of slaves which I stated to your Excellency in my letter of the 23rd instant, your Excellency's means of information are certainly much better than mine, and perhaps the numbers landed from the slaver in question may not be so great as what I stated to your Excellency, according to what I had heard from a source which I considered sure. I am very glad to be informed by your Excellency that there were not so many in reality as I was led to believe; but as great numbers are crowded into very small vessels, and the vessel which was fitted out and sailed in October last under the command of Don Antonio Capó was by no means a small one, I am induced to think that the number of Bozal negroes recently landed by him must have been very large; and I was informed, at the time, that Capó expected to return with 1,200 or 1,400 slaves.

I have, &c.
(Signed) JOS. T. CRAWFORD.

No. 521.

Consul-General Crawford to the Earl of Clarendon.—(Received May 2.)

My Lord, *Havana, April 7*, 1853.

I HASTEN to lay before your Lordship the copy of an official communication, dated the 5th instant, which I received yesterday from the Captain-General, requesting that I would furnish such information as I might have relative to the flight of Plassy Lawrence, her residence in my house here, and her actual place of residence; summary proceedings having been instituted thereon.

I have also the honour of transmitting to your Lordship copy of my reply to General Cañedo of this date, referring to Her Majesty's Government for information upon this subject.

Plassy Lawrence was a servant in my house for some few months previous to the 7th of March, 1851, when I delivered her at the office of the Colonial Secretary by desire of Captain-General Concha, and she was then placed in deposit, to abide the result of the investigation of her claim to be freed from slavery.

That investigation was proceeded with according to the slow process of such cases in this country, but it was at length concluded, and having been identified by a person brought here from Nevis for that purpose, the case might naturally have been considered as proved, and that, all the facts having been substantiated, she would have been considered as entitled to be restored to freedom, and have been delivered from slavery, to which she had been for so many years most cruelly and unjustly subjected, here and in Porto Rico; but it pleased the Spanish authorities to refer this matter to the Supreme Government at Madrid early in July last.

During all this long period, for nearly two years, was this poor creature held in suspense, and she at last sought protection on board Her Majesty's ship "Vestal," which was extended to her by Captain Hamilton, and she is now restored to her family at Nevis.

I am at a loss to understand the object of the Captain-General in addressing this communication to me, excepting it may be that it is intended to implicate this Consulate in Plassy Lawrence's escape; and it has come to my knowledge that a person, formerly in my employment as coachman, has been interrogated as to my having been to visit the said Plassy at the Casa de Beneficencia about the time she escaped on board the "Vestal;" to which the coachman was unable to declare, as he never had upon any occasion driven me to that place.

Under all the circumstances, I hope that your Lordship will approve the course I have adopted in answering this communication of General Cañedo's.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 521.

The Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, April* 5, 1853.

THE negress Maria del Carmen (*a*) Plassy Lawrence, having absconded from the Royal House of Beneficence, in which establishment she was placed in deposit, under the charge of the Sisters of Charity, respecting which the corresponding summary investigation is being gone into, I hope that your Honour will state to me all that you know as to the flight, the sojourn in your Honour's house, and the actual residence of the said negress.

God preserve, &c.

(Signed) VALENTIN CANEDO.

Inclosure 2 in No. 521.

Consul-General Crawford to the Captain-General of Cuba.

Havana, April 8, 1853.

I SHALL take the earliest opportunity of laying before Her Majesty's Principal Secretary of State, the Earl of Clarendon, your Excellency's official communication of the 5th instant, relative to the English negress Plassy Lawrence, belonging to the British Island of Nevis, who had for many years been improperly held and retained in slavery, here and at Porto Rico, and who, your Excellency states, has absconded from the place where she was deposited—the Royal House of Beneficence.

I would, therefore, very respectfully beg leave to refer to Her Majesty's Government for information upon the subject of your Excellency's letter, the receipt of which I have now the honour of acknowledging.

God preserve, &c.

(Signed) JOS. T. CRAWFORD.

No. 522.

Consul-General Crawford to the Earl of Clarendon.—(*Received May* 4.)

My Lord, *Havana, April* 9, 1853.

THE two men named Thomas who arrived here from Porto Rico by the Spanish brig "Union," having been produced in the Alcalde's Court this morning, I regret to report to your Lordship that neither of them was found to be the lad Charles Callwood, of Tortola, but another coloured man, who represents himself as belonging to Tortola, was found to have been sent as a slave in that vessel: his name is Ben Johnston.

I have therefore addressed a despatch to the Lieutenant-Governor of that island, embodying the evidence of said Ben Johnston, who says that he knew Charles Callwood when in Tortola, and saw him in prison at Aguadilla, in Porto Rico, shortly before he came here; and as I am inclined to think that Callwood is still in Porto Rico, and an order will be sent from hence to follow up the search for him there, I have suggested

that the Lieutenant-Governor of Tortola should engage Mr. Consul Lindegren to cooperate with the Spanish authorities at Aguadilla.

I have the honour of laying before your Lordship a copy of said despatch, in which I have requested that the necessary investigation may be made at Tortola as to the case and statements of Ben Johnston, so that if corroborated, and sufficient grounds made out, I may be enabled to claim his liberation from slavery.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure in No. 522.

Consul-General Crawford to the Lieutenant-Governor of Tortola.

Sir, *Havana, April* 9, 1853.

IN following up the case of Charles Callwood, we have found the other two Thomases, one of whom it was supposed would turn out to be the boy Callwood, the object of our inquiries and of Mr. Dyett's efforts at Porto Rico and here last year.

I regret to state that our hopes have been disappointed; but one of those we have found states that he belonged to Tortola; that his name is Ben Johnston, the son of Ben and Jane of that name, who lived at "Joe's and Dick's;" that he is about twenty-eight years of age; that his father was free, and his mother a slave; that he was born before the Emancipation; that he belonged to a person called Captain Jim, who was a mulatto, and lived at the above-named cay at Tortola; that Captain Jim sent him to Aguadilla, in Porto Rico, and there sold him, first to Don Juan Sapio, by him to Don Jayme Mata, then to Don Juan Lopez, to Don Justo Morales, to Don José Carsi, to Don Pedro Duco, and by him to Don Pascual Lopez, who sold him to Don Francisco del Moral y Bucelon at this place.

This negro Ben Johnston says that he knew Charles Callwood at Tortola, and also saw him in the prison at Aguadilla, in Porto Rico, and that he was told by a negress called Mariana (probably Mariana Martin), at Aguadilla, that Charles Callwood had been sent back to Tortola. He is sure that Callwood did not come over in the vessel with him from Porto Rico, and has never seen him here, nor has he heard that he was sent from Porto Rico to this island.

As these proceedings took place this morning, it is very probable that they will not be sent forward to Porto Rico (by the Spanish authorities) by this packet, but they will most certainly go by the mail of the 10th proximo; and as by the declaration of Ben Johnston, it would appear that Charles Callwood is still a slave at Porto Rico, I would suggest the urgency of your moving Mr. Consul Lindegren to concert with the Spanish officers to prosecute the inquiries respecting him.

And with regard to Ben Johnston, I have to request that you will cause an investigation of the circumstances set forth in his declaration, with a view to ascertaining their bearing upon the right of this man to be claimed by me as improperly held in slavery, bearing in mind, that after the Registration Act, 1807, 46 Geo. III, cap. 52, the embarkation of any registered slave without the formalities prescribed in said Act would operate such slave's forfeiture to the Crown, and consequently his immediate freedom from slavery.

I need not point out, that whatever evidence you may be able to send for the purpose of claiming Ben Johnston must be of the most conclusive nature, and that it would be important to have the documents certified by the Spanish Consul residing at San Thomas, as well as that Ben's father, or some other person should be sent here for the purpose of identifying him in the Courts here.

I have, &c.
(Signed) JOS. T. CRAWFORD.

No. 523.

Consul-General Crawford to the Earl of Clarendon.—(*Received May* 4.)

My Lord, *Havana, April* 11, 1853.

THE contract entered into last year by Messrs. Villoldo and Wardrop, of this city and of Glasgow, with the Government of Cuba, for bringing in 3,000 Chinese labourers, has until now been carried into effect as follows: By the arrival of the

Ships.	Tons.	Number of Labourers Embarked.	Number of Labourers Delivered.	Died.
Panamá	522	803	480	475
Blenheim	808			
Gertrude	608	350	198	
Inchinan	565	338	335	3
		1,491	1,013	478

The first of these vessels arrived here with their crews and passengers infected, and there had died at sea as many as 289 of the Chinese. They were consequently put under quarantine. No arrangements had been made, either by the Government or by the parties interested, for such an emergency, and the consequence was, that the infection spread on board the ships: 136 more of the Chinese died in this harbour, and the disease (cholera chiefly) was not arrested until after the Lazaretto was built, 53 only having died there; making the total deaths after arrival here 189. The passengers by the first three ships were from Amoy, and the masters informed me that they were not at all healthy when they came on board. Each man had a portion of opium, which he smoked constantly, till it was consumed, and its effects were evidently most injurious, producing pulmonary complaints and dysentery, of which most of those perished who died at sea. Neither of these ships had any other than Chinese doctors, nor were they provided with efficient interpreters, so that the wants of the sufferers could not be made known; and for these two reasons more efficient assistance most probably was not administered on the voyage; and after the arrival of the vessels in quarantine at this place, although efficient medical assistance was immediately furnished, the most intelligent of the physicians has given me his opinion that the Chinese were allowed too much provisions at first, which had a most prejudicial effect upon them in the state they were at that time.

The last ship took in her passengers at Namoa, and they were decidedly of a better description; the three deaths which occurred were two cases of deliberate suicide by jumping overboard, and one of pulmonary consumption.

In general these labourers appear to be strong young men; they seem cheerful and contented, are well clothed, and the planters are content to receive them.

They have been apportioned in lots of ten to each subscribing proprietor, and those having ties, and desirous of being left together, have had their wishes attended to in the allotments. I have not seen any females amongst them.

Although the first of these ships arrived nearly four months ago the passengers were not out of their quarantine till very lately; so that it is

impossible as yet to form any opinion as to how this important experiment will turn out, but I shall not fail from time to time to report to your Lordship upon the subject.

I have, &c.
(Signed) JOS. T. CRAWFORD.

No. 524.

The Earl of Clarendon to Consul-General Crawford.

Sir, *Foreign Office, May* 10, 1853.

I TRANSMIT to you herewith, for your information, a copy of a despatch* and its inclosures which I have received from Her Majesty's Chargé d'Affaires at Rio de Janeiro, stating that a Spanish brig called the "*Paquete Canario,*" which was at Monte Video on the 7th of March last, was about to sail from that place for this country with a legal cargo; and that after discharging such cargo, she is to sail for Cuba in ballast, to be there fitted out for a slave-trading voyage.

I am, &c.
(Signed) CLARENDON.

No. 525.

Consul-General Crawford to the Earl of Clarendon.—(Received May 11.)

My Lord, *Havana, April* 21, 1853.

I MOST respectfully beg leave to refer your Lordship to my despatches of the 4th and 24th of November last year, respecting that suffering and ill-used class of persons, the emancipados.

I have now to state to your Lordship that up to the present date the Captain-General has not sent any lists to the Mixed Court, as stipulated in Articles V and VI of Annex D to the Treaty of the 28th of June, 1835. Notwithstanding the instruction which M. Bertran de Lis informed Mr. Otway had been given to his Excellency General Cañedo to that effect, and knowing the disinclination there is on the part of the Marquis de Esteva, the Spanish Judge, to move in this business, I have availed of Her Majesty's Commissary Judge, Mr. Backhouse, taking his place in the Mixed Court, to renew my efforts for obtaining justice towards these unhappy people.

I accordingly addressed the Court on the 13th instant, requesting to be furnished with the lists and detailed information with regard to the emancipados, which I was instructed to obtain and transmit to Her Majesty's Government in a despatch from the Earl of Malmesbury, dated 21st of April, 1852. A copy of my letter to the Mixed Court just alluded to, I have now the honour of laying before your Lordship, and I am in hopes that in consequence thereof the Court will be induced to remind the Captain-General of this obligation, which has hitherto been neglected by the Spanish authorities.

And I humbly entreat your Lordship will pardon the importunity of my again urging the cause of these emancipados, who have only the hope of relief through Her Majesty's Government to sustain them through all their toils and sufferings.

The Spanish Government, being pledged to their entire liberation, and that they should all have received their free papers previous to the 1st of January, 1847, can have no excuse whatever for delaying this act of common justice, and I venture to express my confident expectation that by your Lordship's interference it will be accomplished, and that proper

* No. 80.

compensation will be made for the six years' labour (since 1847), to which they have been so unjustly subjected.

In any arrangements which may be entered into for the emancipation of these poor people, I would respectfully suggest that great care must be taken to guard against deception, so as that we get all the emancipados and their progeny away and out of slavery; for which purpose it would be indispensable that Her Majesty's functionaries be authorized to investigate the circumstances of each and every one, so that none of them be retained in bondage, which otherwise most assuredly would be the case.

I rejoice that it has been in my power to do something for these ill-used and abused emancipados, and I trust that the time is now not far distant when the humane efforts and protection of Her Majesty's Government will be crowned with success, towards which it will be my glory to have contributed in the execution of my duties.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure in No. 525.

Consul-General Crawford to the Judges of the Mixed Commission Court.

Havana, April 13, 1853.

HAVING some time ago received from Her Majesty's Secretary of State for Foreign Affairs instructions to obtain and transmit to Her Majesty's Government the most detailed and accurate information as to the condition and number of the survivors of the emancipados, who were declared free by the Mixed Commission established here under the Treaty of 1817, and who were delivered up to the authorities of Cuba to be employed as servants or free labourers; and Her Majesty's Government having transmitted to me, in a despatch dated the 1st of October last, the copy of a note which Mr. Otway, Her Majesty's Chargé d'Affaires at Madrid, had received from M. Bertran de Lis, Her Catholic Majesty's Secretary of State for Foreign Affairs, to the effect that the Captain-General of Cuba had been instructed to communicate to the Mixed Court the information which is mentioned in Articles V and VI of Annex D to the Treaty of June 28, 1835; in the performance of my duty under the instructions referred to, I did myself the honour (on the 3rd November last) of communicating to his Excellency the Captain-General the despatch alluded to, and the disposition of Her Catholic Majesty's Government in observance of the stipulations of Articles V and VI of Annex D to the Treaty of 1835.

I also did myself the honour of addressing a similar official communication to the Mixed Court, with reference to that disposition of the Spanish Government, requesting that as soon as possible after the lists of these emancipados had been furnished, according to the stipulations of the Treaty, I should be favoured with copies, for the enabling me to comply with the instructions which have been repeatedly given with regard to that unfortunate class, for whose condition and entire liberation from slavery Her Majesty's Government has never ceased to express the most earnest solicitude.

I have therefore to request that the Court will be pleased to order copies of the lists of said emancipados, together with the fullest and most accurate information respecting their number and condition, and that of their families, to be delivered to me for the information of Her Majesty's Government.

I have, &c.
(Signed) JOS. T. CRAWFORD.

No. 526.

Consul-General Crawford to the Earl of Clarendon.—(*Received May* 11.)

(Extract.) *Havana, April* 21, 1853.

I HAVE the pleasure of informing your Lordship that Her Majesty's steam-sloop "Buzzard" brought into this port, on the 17th instant, the Spanish brigantine "*Casualidad*," for adjudication, having detained said vessel at the western end of the old Bahama channel for being concerned in the Slave Trade, with about thirty large water-casks and some beams for a slave-deck, the places for receiving said beams being ready prepared and numbered.

This vessel I understand is the "*Cora*," subject of my despatch dated the 17th of May, last year, and her arrival with a cargo of slaves was duly denounced by me to the Captain-General, as being at Cayo Frances in the old Bahama channel, on the 2nd of June.

It appears that she then landed her Bozals with safety, but was afterwards seized by the Government officers, having her slaver fittings on board, and being confiscated, she was recently sold under a decree of the Marine Court of San Juan de los Remedios, from which port she was proceeding, cleared for Cardenas, but most probably to a place called "Los Perros," to fit out for the coast of Africa; and it is supposed that she belongs to the same parties who were concerned in her last expedition, viz., the Portuguese Botelho, José Joaquim Carrea, Robirosa, and Castro of Trinidad de Cuba.

I have been informed that there are many vessels fitting out for the coast of Africa; that the slave-traders never worked with greater activity; and that most of the stout negroes of the last importations have brought 600 dollars each, a price which offers great encouragement for new expeditions; they daily look for several slavers, especially the celebrated Captain Viñas, in the "*Lady Suffolk*," with a very large cargo.

No. 527.

The Earl of Clarendon to Consul-General Crawford.

Sir, *Foreign Office, May* 20, 1853.

I TRANSMIT to you herewith, for your information, a copy of a despatch* which I have received from Mr. Beecroft, Her Majesty's Consul for the Bight of Biafra, reporting that an American barque, named the "*Jasper*," had sailed with a cargo of slaves shipped between Cape St. Paul's and Popoe, on the west coast of Africa.

I am, &c.
(Signed) CLARENDON.

No. 528.

The Earl of Clarendon to Consul-General Crawford.

Sir, *Foreign Office, May* 24, 1853.

I TRANSMIT herewith, for your information, a copy of a despatch† which I have received from Her Majesty's Minister at Madrid, inclosing a copy of a letter from the Spanish Minister for Foreign Affairs, who states that the Captain-General of Cuba has authorized the District Governors of that island to enter any estates where there may be reason for suspecting that newly-imported negroes are concealed, and to deliver up such negroes to the Captain-General.

I am, &c.
(Signed) CLARENDON.

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* No. 63. † No. 416.

No. 529.

Consul-General Crawford to the Earl of Clarendon.—(*Received May* 31.)

My Lord, *Havana, April* 26, 1853.

I MOST respectfully beg leave to refer to my despatch of the 7th instant and its inclosures.

I have now the honour of laying before your Lordship copy of further correspondence which I have had with the Captain-General of this island, who again wrote to me on the 22nd current, repeating the inquiries with regard to the negress Plassy Lawrence, belonging to Nevis, who escaped from the place where she was deposited in this city, and found protection on board Her Majesty's ship "Vestal" in the month of December last.

It appears that proceedings had been instituted by these authorities to discover the missing negress, and it is stated in this last official letter, that they had taken the declarations of Henry Lindon, page, and Bernard Pita, the porter or doorkeeper, two of my servants, as to the said negress having been at my house about the time of her disappearance.

This interference with my servants I was not at all aware of until after the receipt of this last letter from the Captain-General, and I think it proper to notice the circumstance to your Lordship as demonstrative of the total want of courtesy and consideration towards me, which is displayed by the practice of such inquisitorial proceedings.

I beg leave also to solicit your Lordship's attention to the proposal made by the Captain-General's assessor, that as it is most likely Plassy Lawrence has returned to Nevis, from whence she came, the necessary steps may be taken to ask that she may be sent back here, to await the supreme resolution of Her Majesty the Queen of Spain.

Under these circumstances, I thought it most advisable to state in my answer to his Excellency what I knew respecting the said Plassy Lawrence.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 529.

The Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, April* 22, 1853.

WITH reference to your Honour's official letter of the 8th, in answer to mine of the 5th instant, relative to the negress Maria del Carmen (*a*) Plassy Lawrence, the First Alcalde of this capital has given me his opinion as follows:

"Most Excellent Sir,—The communication which the English Consul has addressed to your Excellency on the 8th instant, does not answer entirely to that which was addressed to him on the 5th, that he should state to this Superior Government what he knows and is before him as to the flight, residence in the house of said gentleman, and actual place of residence of the negress Maria del Carmen (*a*) Plassy Lawrence; and this no doubt is because that in the said communication of the 5th it was not explicitly stated to the Consul, that in the "sumaria" (proceedings) raised by this Government investigating said flight, it appears that Maria del Carmen was in the house of the Consul after her evasion from the depôt where she was placed. It arises therefrom, that this should be said to the Consul, with copy of this opinion and of the preceding one of the 31st ultimo, that he should be so good as to furnish the information asked of him, thereupon reporting to Her Majesty immediately, and without detriment to what has occurred, in the manner proposed in the before-mentioned previous opinion of the 31st, and thus your Excellency may proceed, unless availing of some more correct advice."

And having conformed to the said opinion, I insert to you the opinion of the 31st of March last past, which is referred to:

"Most Excellent Sir,—From the summary proceedings which have been instituted to inquire as to the origin and circumstances of the flight of the negress Maria del Carmen (*a*) Plassy Lawrence, who was placed in deposit at the Royal House of Beneficence in charge of the Sisters of Charity, it results that the negress disappeared since the first days of the month of December last, on one of which a gentleman had been speaking with the same negress, who said negress said was the English Consul, according to the declaration of Don Leonardo Galvez, the (driver or) mayoral of the depôt, of which he did not give opportune notice to the Reverend Mother Superior, who was absent at the Isle of Pines, of which circumstance no doubt that Maria del Carmen took advantage to leave the house. A few days thereafter she was seen at the Consul's own house by the huckster Don Sebastian Delgado, who occasionally sold her articles of his line, and that she was so in effect at the house of his Honour. Don Henry Linden, page, and Don Bernardo Pita, the porter, who were serving the Consul in the month of December, give concurrent testimony.

"It arises out of this that a report be asked of the Consul himself that he may be pleased to state to this Supreme Government what he knows and appears relative to the flight, having been in his house, and actual residence of the negress Maria del Carmen (*a*) Placide, or Plassy Lawrence, or Lorenza.

"And it being most probable that she may have proceeded to Nevis, from whence she came, it will be necessary besides to address an opportune communication to Her Majesty's Consul in said island, inserting the opinion of the 31st January of the year last past, and a certificate of the case having been referred to Her Majesty for her Sovereign resolution, with a view to carry out the most efficacious measures for the discovery of the negress referred to, and that if found the state of this affair may be represented to the local authority, asking that the negress may be sent back to this place until the Supreme resolution which is expected may have come down, acquainting your Excellency, and sending the proceedings gone into. As to all which an account shall immediately be given to Her Majesty, with a copy of all that has been done since the 1st of July last, when the principal and primitive proceedings were sent up."

Which I transmit to your Honour for explanation upon the opinions expressed.

God preserve, &c.

(Signed) MARIANO CARRILLO.

Inclosure 2 in No. 529.

Consul-General Crawford to the Captain-General of Cuba.

Havana, April 26, 1853.

TO your Excellency's communication of the 5th, in acknowledging the receipt thereof on the 8th instant, I did myself the honour of referring your Excellency to Her Majesty's Government, because the whole of the proceedings with regard to the important case of the English negress Plassy Lawrence had been reported by me to Her Majesty's Secretary of State simultaneously with your Excellency's reference of this affair for Her Catholic Majesty's decision.

I have now the honour of acknowledging the receipt of your Excellency's letter of the 22nd current, repeating the inquiries expressed in the former official communication respecting said Plassy Lawrence; and I have to state, that having sought the protection to which as a British subject she was entitled, on board one of Her Majesty's ships, she has been restored to her family at Nevis.

I have further to state, in reply to your Excellency's inquiry, that during the long period since the 7th March, 1851, when Plassy Lawrence was delivered at the Government Secretary's Office, and placed in deposit by the superior disposition of his Excellency the Captain-General, she has been very often at this office, for the purpose of inquiring as to the pro-

gress of the investigation for her liberation from slavery, but that since the said date of March 1851, she has not resided in my house.

I shall take the earliest opportunity of laying this correspondence before Her Majesty's Government, and I have, &c.

(Signed) JOS. T. CRAWFORD.

No. 530.

Consul-General Crawford to the Earl of Clarendon.—(*Received May* 31.)

(Extract.) *Havana, April* 28, 1853.

I HAVE the honour of acknowledging the receipt of your Lordship's despatch of the 7th ultimo, transmitting for my information and for any observations which I may have to make thereon, copies of three despatches which your Lordship had received from Her Majesty's Representative at Madrid, inclosing a copy of a note, founded upon my despatch of the 25th of September last, which was addressed to the Spanish Government on the 7th of November last; and copies of two notes received in reply thereto, the first dated the 17th of November, 1852, from M. Bertran de Lis, and the second dated the 14th of February, from the Count of Alcoy.

With regard to the first of these notes, I have to observe that M. Bertran de Lis does not attempt to deny the complaint so justly made by Her Majesty's Government, founded upon my despatch of the 25th of September last year, which exposed the violation of the Treaty, by the disembarkation of 390 slaves at Punta Rio Zarza, on the southern coast of this island.

The whole argument of the Spanish Minister in that note, is reduced to an attempt at recrimination, founded upon the supposition that the British officers and authorities favour the contraband trade, which the Spaniards have found to be carried on from Gibraltar.

This, my Lord, is no new idea of M. Bertran de Lis; it has been discussed at length by General Cañedo and myself, several months ago, and I met his Excellency's observations by pointing out the uselessness of preventive measures to obstruct the irresistible avenues of commerce under the protective system of Spain with regard to her manufactures, since all the rest of the world had found by experience, that the consumers would seek for that which suited them at the cheapest rate, and if a cotton handkerchief cost 3 reals at Barcelona, and one, in every respect as good, could be got for half the money at no great distance, the Spanish Government ought not to think it extraordinary that smugglers went to Gibraltar, where the British manufacturers found it for their advantage to keep a stock of their merchandise which their Spanish neighbours go and purchase. I especially pressed upon General Cañedo's notice the fact, that our manufactures deposited at Gibraltar, found their way into Spain in spite of protection and their preventive laws, but that the smugglers were the Spaniards themselves, and that it was considered by most people who had given the subject a dispassionate consideration, that it was time for the Spanish Government to get rid of all the expense and vexation of the antiquated system of protection, and enter into Commercial Treaties with other nations. It is needless to state to your Lordship, that the result of this conversation was not by any means convincing to General Cañedo, but that he, like M. Bertran de Lis, continues of the opinion that Spain has much to complain of in our constituting and maintaining Gibraltar as a port of deposit.

But that the negroes mentioned in my despatch of September last, referred to by your Lordship, were landed at Rio Zarza there is no doubt whatever, notwithstanding the bold assertion to the contrary which is contained in Count Alcoy's note to Lord Howden of the 14th of February last.

Count Alcoy is, however, rather confused in his note, the copy of which is now before me; for both in his Excellency's and the previous note of M. Bertran de Lis, it is admitted that the Spanish Ministry had received

some information as to the violation of the Treaty which I complained of, and which took place about the 12th of September, at Rio Zarza. I am disposed to think that the denial of that infraction of the Treaty is not intended, but that the denial has reference to the other case which occurred at the same place, on the south side of the island, and was duly denounced by me on the 23rd of December last. Of this I now propose doing myself the honour to submit some observations to your Lordship.

My denouncement certainly alluded to 38 negroes (part of those brought in December to the Rio Zarza) who were to be sent from Trinidad by the steamer "*Isabel*," to Cienfuegos, and that steamer was to sail from Trinidad, three days after the date of my letter of the 23rd of December to the Captain-General. Now it was quite easy for his Excellency to send, as he did, a commission to Cienfuegos to await the arrival of the steamer "*Isabel*" from Trinidad.

I did not omit to write by the same opportunity, which was the ordinary mail by railway to Batabano, from thence, per steamer, and Mr. Fowler received my letter in time to watch the "*Isabel*."

The result as reported to me by the said Vice-Consul, of date the 26th of December, was as follows:

"The steamer '*Isabel*,' arrived this morning at about 11 o'clock, and it happened that I was upon the wharf when she came up, but did not notice any negroes on board. My son passed on board immediately afterwards to look for letters, and since the receipt of your letter, which I did not receive till this afternoon, I have made inquiry of him and caused the same to be made of certain of the passengers who came down in the boat, and am quite convinced that the negroes you refer to did not come down in her."

Mr. Vice-Consul Fowler, however, again writes to me on the 30th of December, and says:

"Referring to my letter of the 26th, I have now to inform you that I have continued my inquiries about the movements of the '*Isabel*,' and have understood from a waterman who served her on her last trip here, that there were 10 negroes concealed on board, who were taken out here and sent by a lighter to the estate Constancia. This I have no doubt is true, although the waterman referred to is a drinking man; there are rumours about, which more or less confirm his statement. It appears there were two commissioners here from Havana, waiting the arrival of the '*Isabel*,' who went on board but found nothing. It is currently reported about town that the trip before the last the '*Isabel*' brought down about 60 negroes, belonging to two individuals of this place, which have been disposed of; this I believe to be true."

In these letters of Mr. Vice-Consul Fowler, notwithstanding the active measures of his Excellency the Captain-General, we have the complete confirmation of all I stated in my denouncement of the audacious infraction last practised at Rio Zarza; since it is proved that not only negroes did come on the 26th of December from Trinidad to Cienfuegos, on board the coasting steamer "*Isabel*," but that, very recently before that date, 60 Bozals were brought to and disposed of at Cienfuegos, showing, as I stated, the connivance of the authorities.

And with regard to the inquiries set on foot by the Captain-General's orders at Trinidad, and the examination of parties there resulting in the denial of the fact that any disembarkation of Bozals had taken place as denounced by me, that such result should be alleged by the Spanish Government does not surprise me, since it is quite notorious that, in every instance, the consequence of appointing Commissioners, or of deputing a Judge of the Royal Audiencia, as has been done upon various occasions, has been, that no one is examined who is at all likely to know anything about the matter, or that those who do know, either will not come forward, or will not disclose what they know concerning occurrences of such a nature.

Your Lordship may be assured that the information upon which I act is such as that there is no room for doubt as to the fact itself; there may be occasionally some little difference in the details, but even with regard to them I am correct, and as to the numbers landed, I am always rather within than at the extreme figure.

There is one circumstance, however, which must be apparent to your Lordship; and it is this, that no Commission of Inquiry in cases of slave-trading has ever resulted in the conviction of the offenders! On the contrary, we know, by the experience of numerous instances, that whenever a Commission is had recourse to, there is something to be covered, and that the proceedings always terminate in such a way as to admit of arrangement by the slave-traders.

No doubt this was done at Trinidad, as it is currently said and believed was the case more recently at Matanzas and Cardenas, where a Commissioner was sent to investigate the circumstances of the infraction last month effected by Capó. The lamentable circumstances in all these quibbles and efforts to disguise the truth is, that so many Bozal negroes as are charged in our denouncements to the Captain-General are feloniously introduced and sold as slaves in this Island of Cuba.

I cannot suppose that Her Majesty's Government, under these circumstances, ought to receive from that of Spain, as an earnest of the loyal intentions of the Captain-General to put an end to Slave Trade, the insignificant destitutions of the "Capitanes Pedaneos" of a few districts where the Slave Trade has the most notoriously been connived at.

I have, within the last week, noticed that the "capitanias" of some of the places where the negroes were landed between Cardenas and Matanzas are vacant. In due time it is not improbable that the destitution of those will be shown up as an additional proof of the good faith of General Cañedo; but Her Majesty's Government may be certain that other captains will be found, and be appointed to those vacant districts, equally as subservient to the purposes of the Governors of Matanzas and Cardenas as those who have been displaced, and so the Slave Trade will be carried on.

Upon the occasion of the violation of the Treaty—subject of my despatch of the 24th ultimo—an officer of the rank of a Brigadier-General was dispatched by the Captain-General, who, with the Governor of Matanzas and the Lieutenant-Governor of Cardenas, was to investigate the circumstances of the disembarkation of 1,000 Bozal negroes from a vessel which made her appearance in the Bay of Cardenas, and without molestation, or the slightest hindrance of the authorities, safely landed the number indicated in my denouncement, nay more.

The negroes, after they were landed, had to be driven a very considerable distance to the estates of the parties interested, but they met with no hindrance from the constituted authories. Although such is the demoralizing nature of this detestable Traffic, a good many of the slaves were carried off by parties of armed men, who forcibly took them away from the main body of the unfortunate victims when on the way from the place of landing to the estate of Murua. The vessel, after the disembarkation had been effected, was burnt at Cayo Piedras, and the fire was of course seen by the authorities from the coast in its neighbourhood.

The Commission was, however, unable to prove anything that was true. Don Antonio Capó and his brother (probably having had a timely hint) were not to be found. The master of the slaver and his brother, who had been on the voyage, were the two material witnesses.* The surgeon and all the crew of the slaver had also disappeared; but the Commission proceeded to arrest some four or five persons who, it is well known, were interested, and the owners of the expedition; they took some 290 or 300 of the Bozals from one or more of the estates to which they had been taken after the landing, against which latter proceeding there was immediately a tremendous hue and cry as to its being contrary to the IXth Article of the Titulo II of the Penal Law. Now, what has been the result of the Commission in this last instance? All we know of a certainty is, that all parties implicated who were arrested have been set at liberty; the 290 or 300 negroes captured, it is made to appear on the proceedings, constituted the whole number brought by the slaver in question; and up to this time, as far as I know, the said captured negroes have not been declared emancipados.

* Capó, the Master, his brother and the Surgeon, and some of the crew, would have been the principal evidences, indeed the only ones.

There are some curious stories in circulation with regard to the manner in which the slaves were obtained by M. Capó at the Mozambique; it is stated that they were principally stolen from some part of Caffraria, and some of those who were taken are undoubtedly Caffres.

Notwithstanding the much-vaunted active measures of General Cañedo which, at first, filled the slave-traders with consternation and alarm, their inert conclusion seems to have had the effect of reassuring them, and appears to have given an impulse to their exertions, so that several vessels are being fitted out in the United States to be dispatched for the coast of Africa, as your Lordship will perceive by the notice which I have the honour of transmitting herewith, the date corresponding to such renewed confidence on the part of the slave-traders; for although their expenses are naturally greater because of the difficulties they have to contend with, still as they reckon, with tolerable certainty, upon overcoming those difficulties, the increased value of the slaves leaves an ample margin for such persons to engage extensively in the detestable Traffic, and your Lordship may depend upon it that, so long as it is as profitable as it is at present, and connived at by the Spanish authorities in the way it is, nothing short of the strongest measures will ever put an end to it. A short calculation shows:

That 1000 negroes sold at 35 ounces, or $595, produces - - - - -		$595,000
Cost at 2 ounces, or $34 each - -	34,000	
Ship, destroyed and provisions - -	66,000	
Gratifications of all kinds 9 ounces each, or $153 - - - - -	153,000	
		253,000
Profit - - -		342,000

It is said that there were about 200 more Bozals on board the slaver which lately came to Cardenas, who were killed in more than one attempt at insurrection on the voyage, and supposing this is true, and the cost of 68,000 dollars of said 200 human beings lost to the interested, would of course lessen the profits upon the whole to that extent. Still there would remain the enormous sum of 274,000 dollars of clear profit. I therefore see no prospect of the trade being abandoned, and your Lordship will perhaps look at the magnitude of the "gratifications" as a very cogent reason for its being carried on and connived at—a reason far stronger than that of the expediency of winking at the introduction of negroes from Africa in the political view of the question, as assumed by General Tacon, and advocated by the Spanish Government.

Inclosure in No. 530.

Extract from the New York "Daily Times" of April 22, 1853.

The Slave Trade.—We learn from a credible source that three Portuguese captains, and one Catalan merchant, arrived from Cuba by the "Cherokee" and "Black Warrior" steamers, and are now in this city, making arrangements for dispatching vessels to the coast of Africa to engage in the Slave Trade, between that coast and Cuba. They have already contracted for three clippers, to be built at Baltimore, and are making other preparations in this city.

It is known that there are now in this city several mercantile houses extensively engaged in the Slave Trade, and that half-a-dozen vessels have recently left this and other American ports for the African coast. These vessels clear for some Cuban port, where they never arrive; and being provided with false papers, and sailing under the American flag, they succeed in reaching the coast, obtaining cargoes of slaves, and landing them in Cuba, with the connivance and complicity of the Spanish authorities.

No. 531.

Consul-General Crawford to the Earl of Clarendon.—(*Received May* 31.)

My Lord, *Havana, April* 28, 1853.

ALTHOUGH I cannot positively vouch for the exactness of the information which is contained in the slips from a New York paper which I have the honour of inclosing herewith to your Lordship, much of what is stated in these letters from Matanzas is certainly true and corresponds with what I have received from other sources upon which I can rely, and had acted upon previous to my seeing the newspaper alluded to—the "Daily Times."

I also do myself the honour of transmitting herewith a notice upon the subject of the Slave Trade in Cuba, which I think may be interesting to your Lordship, and has reference to a work lately published in Paris by Don N. Tenasa, which, I understand, contains valuable statistics as to the importations of slaves from Africa in contravention of the existing Treaties. I regret to be obliged to state to your Lordship that the practice of the slave-traders of bringing males only has, for the last five years, been resumed, and that consequently there are very many estates here without any females in their dotation.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 531.

Extract from the New York "Daily Times" of April , 1853.

Matanzas, Sunday, April 10, 1853.

THE Ministers and public prints of Great Britain exclaim against the repeated infractions of the Treaties with Spain, for the abolition of the abominable Traffic in African Slaves, which has cost England so many sacrifices. The intelligence of the age and popular civilization are equally indignant. Yet expeditions are constantly leaving the ports of Spain to procure cargoes of negroes, to be finally landed on the Cuban coast. Considerations of religion, national honour, the obligation of the most solemn pacts, and of pity for suffering humanity, are equally unavailing. Every year a large body of slaves is landed, in spite of the utmost vigilance of the British cruizers; and hardly a week goes by, without our hearing of some successful feat of the kind.

That which was accomplished on the 17th ultimo presents some circumstances especially worthy of note:

The vessel, commanded by Don Antonio Capo, appeared off the port of Cardenas, and demanded a pilot and the assistance of the authorities. Both were furnished; and, in consequence, 800 or 1,000 negroes, brought from the coast of Caffraria, were landed at the place called Las Guacimas without molestation. The ship was then run on shore on the west side of the Caya de Piedras, and there burned; and yet a fire so large, and in a place so unusual, failed entirely to attract the attention of the marine officials of the port. The crew of the vessel consisted of a brother of the captain, the surgeon, Don N. Giberga, and seventy sailors.

Information was at once dispatched to the proprietors in Matanzas, who at once hastened to the spot like so many prowling wolves.

The distribution was not made without jealousy and disputes. The claim of Don José Antonio Murua, who put in in right of his wife, Tomasa Gomez, was made to include, through the thoughtful charity of that lady, 16 or 20 of those that had been most seriously wounded; for during the voyage the negroes having risen several times against their captors, many of them were flung into the sea, some were stabbed, and some shot;

so that about 200 perished, while many who did not are cruelly mutilated.

The parties implicated in the offence are Bernabe Aguirre, José Baro, Manuel Aguabella, Fidel Zuasnabar, and José Antonio Aramabe, with their associates, for whom Sta. Lucia de Zuasnabar, and others, are securities.

The condition of the wretched, maltreated Africans, when brought through our streets, was enough to move the pity of any heart. No true man would envy the dollars earned by the transaction; the price of unheard-of cruelty and inhumanity.

The English Consul made a demand upon the Captain-General for the execution of the laws upon the criminals, supporting it with full details of the charge, including the names of the parties, their several shares, &c.

More than 200 of the Africans are here, including the maimed ones, assigned to Don José Antonio Murua, who are at the hospital.

The Brigadier Morales Rada was sent to this city by the Captain-General as a Commissioner to examine the case. He forthwith caused the several armadores, or owners of the ship, to be arrested. I send you some of their names: Dr. Aguabella; Antonio Murua, an attorney, who recently married the widow of Vega y Caceres, and so became a party interested; Aramabe, an ironfounder; N. Aguirre, a merchant; Bartolome Caranas, an apothecary; and Don Francisco Vinageras, brother of the Alcalde, and the only creole implicated. Each of these was interested to the extent of 12,000 dollars, and was held to bail, notwithstanding the law prohibits bail in criminal cases, to answer the charge. Don José Baro, another partner, succeeded in eluding the officers.

The examination brought out the atrocity of the affair in the strongest light. Capo directed his course to a Portuguese (negro) colony, on the coast of Caffraria, and, finding that they had no negroes to sell, he determined to fill his ship without being at the expense of a purchase. He therefore took every possible means to ingratiate himself with the inhabitants, and secure their confidence, awaiting an opportunity for a *coup de main.* When the time struck him as favourable, the whole population was bidden to a splendid feast on board ship, and plied with drugged rum until the great mass of them were completely stupified with their potations. Orders were then signalled to the crew to make all sail, and when the unfortunate wretches recovered their senses, they found themselves out of sight of shore, and those of their company who had been more moderate in their cups already secured in irons. Naturally enough they attempted, the first thing, to release themselves by rising on their kidnappers; but they possessed no weapons, while the crew was large, and armed at all points; so that, notwithstanding repeated efforts to liberate themselves, they were uniformly over-mastered. These encounters were murderous. Large numbers were thrown overboard, or cut to pieces with knife and sabre, so that the loss of life during the trip was at least 200 persons. Of those who survived, and whom the agents of Government have received since the landing, 100 are at this moment in our hospital undergoing surgical treatment for sabre-cuts, stabs, and other wounds of greater or less severity, received from the kidnapping ruffians who captured them. Many of the negroes are Portuguese, and all of them are intelligent, and above the ordinary level of native Africans.

The Government inquiry, as was to be anticipated, has ended in additional fraud and corruption. Neither Capo, his brother, Dr. Giberga, who acted as surgeon of his vessel, nor any of the crew, has been arrested. The investigation was confined to the partners, some of whose names I have given you, and after dragging along for some time, was suddenly hushed up. The defendants agreed to compromise for their crime, by delivering 300 of the negroes to the Government, each culprit contributing to the amount according to his interest in the venture, accompanied, as it was, with pecuniary considerations.

The bribe was irresistible. The bargain was at once closed. Pavia, Governor of Matanzas, Marcotegui, and Morales Rada, the three Commissioners, ratifying it on behalf of General Cañedo; and as the affair was

completed at the Coliseum, the bargain is called the "Treaty of the Coliseum" out of doors.

The parties to this infamous transaction walk the streets in insolent impunity, secure from all the consequences of their crime. And why? To use the language of a distinguished Government official, incautiously dropped soon after the arrest, the prosecution would not be allowed to go to any great length, because the parties inculpated were Spaniards—that is, not creoles.

And this is the result of the Consul's interference! It only made the Insular Government a larger participant in the profits of the iniquity than if the whole thing had been permitted to go unheeded. Some few of the negroes were released, and the rest allowed to pass into the mass of hopeless negro servitude.

Inclosure 2 in No. 531.

Extract from the New York "Daily News" of April , 1853.

CUBA may be regarded as representing the condition of things where the slave population is still kept up by importations. The Slave Trade between Cuba and Africa has been very slightly affected by the several Conventions for its extinction. It has only been rendered more hazardous. The negroes have been males; because males are better able to bear the terrors of the transit, prolonged and heightened as they were by the necessity of avoiding the English cruizers; and because the planters have preferred them, as field hands, to women, who were found, in other respects, expensive and troublesome. The prospect of the importations ceasing was too indefinite to excite apprehensions of the stock perishing from this short-sighted policy. It was only in 1834, when the remonstrances, threats, and redoubled vigilance of England gave the alarm, that the demand for females became active, and the dealers were induced to proportion their shipments more wisely. But there has been no sensible falling off in the number and bulk of the cargoes. The slave population, according to the census of the island, taken in 1819, amounted to 195,145. The return made no separate returns for the two sexes. The census of 1841 did so, however, showing the number of males to be 281,250; of females, 155,245; in all, 436,495. Now there is every reason to believe, that previous to 1834, the proportion of male to female slaves was as ten to one. It was notorious that whole plantations, employing 200 or 300 hands, had not one woman on them. The partiality to the males was general. There is no doubt that the gain of 241,350, which is noted between 1819 and 1841, is entirely the fruit of the African Trade. Nor is this all. With such disparity between the sexes, the increase could not begin to replace the annual mortality. Señor Tenaza, an intelligent Cuban, who has just published a tract on the subject at Paris, estimates the actual importations into the island at 431,925 in the twenty-one years ending in 1841, or about 20,000 per annum.

No. 532.

Consul-General Crawford to the Earl of Clarendon.—(*Received May* 31.)

My Lord, *Havana, April* 29, 1853.

I HAVE the honour of acknowledging the receipt of your Lordship's despatch dated the 31st ultimo; and gratifying it is to me, that your Lordship has done me the honour to consider the explanation given in my despatch of the 26th of February, in answer to Lord John Russell's confidential despatch of the 27th of January last, as quite satisfactory.

I shall certainly act in every respect towards General Cañedo, so as not to give occasion for quarrel, or for pretexts for the evasion of Treaty obligations.

I have, &c.

(Signed) JOS. T. CRAWFORD.

No. 533.

Consul-General Crawford to the Earl of Clarendon.—(*Received May* 31.)

My Lord, *Havana, May* 7, 1853.

I HAVE to express my regret so soon again to announce another violation of the Treaty for suppression of the Slave Trade, which I denounced in a letter to his Excellency the Captain-General on the 4th, copy of which, and of the General's answer, dated the 6th instant, I have now the honour of laying before your Lordship.

I have written for more exact and circumstantial information to Sagua la Grande and San Juan de los Remedios, than I have been able to obtain here, with regard to this infraction. The post is longer in its course to both these places than it is to others accessible by railway; and so it may be some days before I can receive the particulars.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 533.

Consul-General Crawford to the Captain-General of Cuba.

Havana, May 4, 1853.

UNDERSTANDING that it is currently reported in this city, that a cargo of Bozal negroes, consisting of about 800, had very recently been landed on the coast of this island, somewhere between Sagua la Grande and San Juan de los Remedios, I hasten to make this communication to your Excellency, and at the same time to state that I have not as yet been able to obtain further particulars, except that it is said the authorities (as I have been told) of San Juan de los Remedios, as soon as they were informed of the disembarkation, used their utmost endeavours to capture the vessel, but that they did not succeed in doing so.

Your Excellency will no doubt give the necessary orders to inquir as to the facts of the transaction.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 2 in No. 533.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, May* 6, 1853.

HIS Excellency the Governor Captain-General has directed me to say to your Honour, as I do, that he has received and has informed himself of the contents of the official letter which your Honour addressed to him, dated the 4th current, relative to your knowledge of a rumour that recently a disembarkation of negroes (Bozals), consisting of some 800, was effected at a place between Sagua la Grande and San Juan de los Remedios, the particulars of which, if you receive them opportunely, he will be obliged by your communicating.

God preserve, &c.

(Signed) LORENZO DE BUSTO,
Political Secretary.

No. 534.

The Earl of Clarendon to Consul-General Crawford.

Sir, *Foreign Office, June* 1, 1853.

I HAVE to acquaint you, that I have received from Her Majesty's Minister at Madrid a confidential despatch, stating that the Brazilian Minister at that Court has informed him that Antonio Augusto Botelho,

and Rodrigo José de Abreu, two very wealthy Brazilians, are supposed to have gone to Havana, in order to establish themselves there as slave-traders on a large scale.

I have to instruct you to inquire whether this information is correct, and to report to me any particulars which you may be able to ascertain with regard to these persons.

I am, &c.
(Signed) CLARENDON.

No. 535.

The Earl of Clarendon to Consul-General Crawford.

(Extract.) *Foreign Office, June* 30, 1853.

I HAVE received your despatch of the 28th of April last, containing your explanation concerning certain reports respecting the state of Slave Trade in Cuba, which you made to Her Majesty's Government, and the accuracy of which was impugned by the Captain-General of Cuba; and I now transmit to you, for your confidential information, a copy of a note* founded upon your above-mentioned despatch, which I have transmitted to Her Majesty's Chargé d'Affaires at Madrid, to be presented to the Spanish Minister for Foreign Affairs, from which you will perceive that Her Majesty's Government are quite satisfied that the reports alluded to, which you made to them, are essentially founded in fact.

No. 536.

Consul-General Crawford to the Earl of Clarendon.—(Received July 2.)

My Lord, *Havana, May* 28, 1853.

IN obedience to the instruction conveyed to me in your Lordship's despatch dated the 9th ultimo, the receipt of which I now have the honour to acknowledge, I addressed his Excellency the Captain-General of this date upon the subject of the negress Nancy's children.

I have the honour of laying before your Lordship a copy of General Cañedo's last letter to me respecting this family, and also copy of my letter to his Excellency of this date just alluded to, in which I have pointed out the effect of the Act of Parliament (46 Geo. III, cap. 52) which operated Nancy's freedom at the moment of her being embarked at Jamaica, contrary to the provisions thereof, and have explained to the Captain-General that said Nancy having so become free, there cannot be any person who has a legal title of ownership to the (now deceased) mother, and consequently can have no right whatever, as regards her children, to retain them in slavery.

I must however candidly state my apprehensions upon this subject that no remonstrances on our part will be listened to, so as to produce the effect of liberating Nancy's children.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 536.

The Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, March* 8, 1853.

IN consequence of what I stated to your Honour on the 21st December last, in answer to your official letter of the 16th, relative to the claim which the Consul of England in Cuba made to his Excellency the General-Governor of that district of the negress Nancy and her children, as British

* Inclosure in No. 423.

subjects, the proceedings have been sent to me, and, in conformity with the opinion given to me by the Alcalde Mayor, Don Lorenzo del Busto, to whom it was referred, it is not possible for me to accede to your Honour's solicitude inasmuch as the said negress and her children are concerned.

Nor does the Legislative Act invoked by your Honour and the said Consul of Cuba reach the dominions of the Queen my august Sovereign, to whom I report the case for her superior resolution.

God preserve, &c.

(Signed) VALENTIN CANEDO.

Inclosure 2 in No. 536.

Consul-General Crawford to the Captain-General of Cuba.

Havana, May 28, 1853.

THE case of the negress Nancy and her family at St. Jago de Cuba, subject of the representation which I had the honour of addressing to your Excellency on the 14th December last, and your Excellency's official answer of the 8th March last, having been under the consideration of Her Majesty's Government; I am instructed by the Earl of Clarendon, Her Majesty's Principal Secretary of State for Foreign Affairs, again to represent the case of the unfortunate Nancy (who is now deceased) and her family, and to state to your Excellency the interest taken in the matter by Her Majesty's Government ever since it was brought before the authorities of Her Catholic Majesty by Mr. Consul Forbes in 1849. And referring to your Excellency's letter of the 8th of March, wherein the Legislative Act under which Nancy became a British subject is assumed by the assessor of this Government as not reaching in its operation the dominions of Spain, I beg leave to observe, that it is not sought by Her Majesty's Government in any way to propose the operation of that British Act of Parliament in any foreign country; but its operation is undoubted, must be insisted upon within the limits of the British dominions, and said Nancy's freedom having been caused by the operation of the said Act of Parliament within the dominions of Her Britannic Majesty previous to her having been brought to Cuba, she was to all intents and purposes a free British subject, and as such, by no means whatever could she be legally sold or held as a slave in this island, or anywhere else.

This plain statement of the case it is hoped will satisfy your Excellency that there is no person whatever who can have any legal title of ownership in the mother (now deceased), and consequently can have no right as regards her children to retain them in slavery.

In obedience to the direction of Her Majesty's Secretary of State, therefore, I again have the honour of stating the interest taken in this matter by Her Majesty's Government, and of expressing a hope that your Excellency will order the release of Nancy's children from the state of slavery in which they are improperly held in this island.

I have, &c.

(Signed) JOS. T. CRAWFORD.

No. 537.

Consul-General Crawford to the Earl of Clarendon.—(*Received July* 2.)

(Extract.) *Havana, May* 28, 1853.

I HAVE the honour of acknowledging the receipt of your Lordship's despatch of the 14th ultimo, transmitting for any observations which I might have to make thereon a copy of a note which was addressed by the Count Alcoy, the Spanish Minister for Foreign Affairs, to Lord Howden, Her Majesty's Minister at Madrid, with reference to my despatch of the

1st December last, respecting the fitting out for Slave Trade in this island of the "*Lady Suffolk.*"

The circumstances of this case are truly stated in my despatches; my information was obtained from the crew who brought the "*Lady Suffolk*" from New York to Mariel, went with her thence to Bahia Honda; assisted in taking in her armings, provisions, and slaver equipments, and who were put from on board said ship into the Spanish coasting steamer "*Sirena,*" after said steamer had towed the slaver, or pirate, ten leagues from Bahia Honda to sea, and who were brought clandestinely into this port of Havana by the said "*Sirena.*"

The Count Alcoy takes exception at the accusation of General Cañedo, that as long as it is not proved that the parties proceeded against were the principal parties of the crime prosecuted, &c.

It is well known that in such cases the real culprits keep, and are kept, out of danger; and so in the case of the "*Lady Suffolk,*" M. Ysasi, the party taken up and proceeded against, is a clerk only and no principal in the transaction of the "*Lady Suffolk.*"

The artillery, ammunition, and stores taken on board the "*Lady Suffolk*" at Bahia Honda, were all sent from this port of Havana. Now, is it reasonable to suppose that this could be done without the connivance of those authorities whose duty it surely was to have prevented it? I will venture to say that, for any other purpose than to fit out such an expedition by such powerful people, nothing of the kind would be allowed; indeed, I have not the slightest hesitation in asserting that it could not be done.

I have not seen the sumario or process, consequently it is quite impossible for me to say, or prove, whether any person against whom there were grounds of blame, has escaped the rigour of the law; nor can I know, for the same reason, whether there were any persons denounced who have not been proceeded against; but not all the sophistry of Count Alcoy's reasoning will, I am sure, for one moment serve to make anybody who knows how such proceedings are managed here, believe that any pains were taken to detect or punish those who were the principals in the affair of the "*Lady Suffolk,*" nor those whose duty it was to have put a stop to so disgraceful a proceeding.

Your Lordship may, however, be assured that so long as the Slave Trade is permitted to be carried on with impunity by the Spanish authorities, our denunciations will always be qualified by the Spanish Government as offensive to the dignity of the Captain-General, and those authorities whose duty it ought to be to suppress instead of encourage the horrible Traffic.

Count Alcoy concludes by observing, that "recent examples must have convinced the British Government that the Captain-General of Cuba omits neither effort nor fatigue to accomplish the abolition of the Traffic in Slaves."

Whatever efforts and fatigue his Excellency General Cañedo may have made and undergone, I must observe to your Lordship, have been quite unavailing, for most certainly he has not been able to hinder one landing that I know of; he has not detected, or punished any of the parties who have so often and so successfully violated the existing Treaties; nor have his officers been successful in capturing the slaves after they had been landed, but in very few instances—some of these have been by his acting upon my denouncements; and if he has shown any determination to put an end to the Traffic, by punishing those under his command in the districts where landings of Bozal negroes have been effected, it has only been by the removal of some insignificant "capitanes de partidos," which have produced almost no good effects whatever, instead of striking terror into the whole host of the officials by the punishment of the chiefs of the departments, whose duty it was to have taken care that the laws were not broken by those under their immediate orders.

No. 538.

Consul-General Crawford to the Earl of Clarendon.—(*Received July* 2.)

My Lord, *Havana, May* 28, 1853.

I HAVE the honour of laying before your Lordship the inclosed copy of a letter which, in obedience to your Lordship's despatch dated the 10th ultimo, I have addressed to the Captain-General, expressing the regret felt by Her Majesty's Government at the decision which was taken by his Excellency in the cases of the Bahama negress Mary Anne Bethel, Mamerta and her children, and that Her Majesty's Government trust that a more lenient and conciliatory course will be pursued, if in future it should be necessary for me to renew such applications upon good grounds.

I have not, however, been favoured by his Excellency with any acknowledgment of my said letter.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure in No. 538.

Consul-General Crawford to the Captain-General of Cuba.

Havana, May 25, 1853.

HAVING laid before Her Majesty's Government the correspondence which took place between your Excellency and myself in March last, relative to the Bahama free negress Mary Anne Bethel, and the emancipated woman Mamerta and her four children, showing that your Excellency refused to grant the application which I deemed it my duty to make on their behalf, requesting that they might be permitted to remain on this island, where they had been for so many years; I have been instructed by the Right Honourable the Earl of Clarendon, Her Majesty's Secretary of State, to express to your Excellency the regret of Her Majesty's Government at the decision which was taken by your Excellency in these cases, and that Her Majesty's Government trust that a more lenient and conciliatory course will be pursued, if in future it should be necessary for me to renew such applications upon good grounds.

I have, &c.
(Signed) JOS. T. CRAWFORD.

No. 539.

Consul-General Crawford to the Earl of Clarendon.—(*Received July* 2.)

My Lord, *Havana, May* 28, 1853.

HAVING made inquiries at San Juan de los Remedios and Sagua la Grande, the result of which made me conclude that the rumour was unfounded which was in circulation here, and which gave rise to my letter of the 4th to the Captain-General, copy of which I did myself the honour of transmitting to your Lordship in my despatch dated the 7th instant, I lost no time in acquainting his Excellency of such conclusion, and I now beg leave to lay before your Lordship a copy of the correspondence which I have had with General Cañedo upon this subject, by which it appears that his inquiries had been productive of a like result to that which my communication to his Excellency of the 21st instant had anticipated.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 539.

Consul-General Crawford to the Captain-General of Cuba.

Havana, May 21, 1853.

WITH reference to your Excellency's of the 6th instant, in acknowledgment of a communication which I did myself the honour of addressing to your Excellency, bringing under your notice a rumour which was prevalent in this city, relative to a landing of about 800 negroes, which it was said had been effected on the coast of this island between Sagua la Grande and San Juan de los Remedios; and your Excellency having expressed a wish to receive any further information which I might acquire upon the subject, I now beg leave to state that the result of the inquiries which I have made at Sagua and Los Remedios induces me to conclude that the rumour alluded to was false, and that no such landing took place on this occasion.

But I would request the favour of your Excellency to inform me whether any information of the said rumour has come to your Excellency's knowledge from other sources.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 2 in No. 539.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, May* 23, 1853.

HIS Excellency the Governor Captain-General received your Honour's official letter of the 21st instant; and in sight thereof orders me to say to your Honour in answer, as I now do, that he is informed of the manifestation your Honour makes, that the information was false which your Honour made known to him of date the 4th instant, relative to a rumour of a disembarkation of 800 Bozal negroes between Sagua and Remedios; and with that purpose he has also desired me to say to your Honour that, according to the steps which upon that subject were taken, it appears that the said news was unfounded.

God preserve, &c.

(Signed) LORENZO DE BUSTO,
Political Secretary.

No. 540.

Consul-General Crawford to the Earl of Clarendon.—(*Received July* 2.)

(Extract.) *Havana, May* 30, 1853.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch dated the 18th ultimo, inclosing copy of a despatch from Lord Howden, Her Majesty's Minister at Madrid, with copy of a note addressed to him by Count Alcoy, the Spanish Minister for Foreign Affairs, in answer to a note which Lord Howden was instructed by your Lordship to address to Count Alcoy, founded on my despatch of the 4th of January last.

In obedience to your Lordship's desire that I should address to your Lordship any observations which I may have to offer upon Count Alcoy's note, and particularly as to the number of negroes which I stated to have been landed in this island in the year 1852;

The list upon which Count Alcoy's observations are made, and which was laid before him by Lord Howden, enumerated twelve vessels which had landed their cargoes during the year 1852, and stated the number of slaves as having been 5,143, to which was added the usually-estimated "one-third" more for those probably landed, but respecting whom no information had been attainable by the British functionaries.

This has been the custom of Her Majesty's Commissioners in drawing up their reports, which, however, your Lordship will easily perceive, may

sometimes overrate the actual numbers of negroes which are introduced, and at other times may be a proportion less than the reality; and with regard to the importations of Bozal negroes into this island last year, I am disposed to think that the proportion of one-third for those with respect to whose introduction we had no certain information, would be excessive, but to what extent, it would be extremely difficult for me to hazard an opinion. That numbers of slaves are introduced of whom we never hear, there can be little doubt; and perhaps, could the truth be got at, the proportion of one-third, which Her Majesty's Commissioners adopted, may not, upon many occasions, have been equal to the numbers of Bozals imported, respecting whom no sort of information had reached them.

The Count Alcoy has taken the trouble to draw up, draftwise, the list of violations for 1852, and has made his observations upon many of them, but upon many others his Excellency has not favoured us with any remarks.

I shall take the cases as they occur upon the list, and submit to your Lordship my observations upon each. The first is the Brazilian polacca, of which cargo 96 were captured by the authorities at Trinidad, and afterwards those 96 were attempted to be accounted for by them as having all perished in the hospitals; but the firmness of the Captain-General Don José de la Concha brought them out safe and sound. The number of 500 for this lot was founded upon a very moderate estimate of the capacity of the vessel, which was found derelict in the waters of Santa Cruz, and brought into port. It is quite notorious at Trinidad that this vessel brought a full cargo of slaves, and that the 96 which were captured were the last which were being brought ashore from her in an open launch.

The landing at the Ensenada de los Cochinos was denounced upon information received from Brazil, but I have reason to think that those 500 were landed immediately to the westward of the Casilda, or port of Trinidad, and were received by Castro, the agent of the Brazilian Company.

The landing at Camarioca of 800, for which Brigadier Pavia, the Governor of Matanzas, was suspended, appears to be admitted by Count Alcoy.

The next cargo is that of 640 landed at Sierra Morena, and is referred to in my despatch of the 25th of February last year; and although it is stated by the Count Alcoy that nothing was made out by the investigation which was ordered by General Don José de la Concha, the fact of the disembarkation is undoubted.

The next cargo on the list is that of the brigantine "*Cora*" at Cayo Frances in the time of the present Captain-General. This vessel was denounced by me on the 2nd of June, upon the most undoubted information, and probably in time to have had her captured with the negroes on board, had a war-steamer been sent off at once from this arsenal, but it was not so ordered. The slaves, 350 in number, were safely landed; and afterwards the brigantine was taken, with her equipments on board, and was carried to San Juan de los Remedios, where she was at last sold under a decree of the Marine Court. She is now in this harbour, under the name of the "*Casualidad*," detained by Her Majesty's steam-sloop "Buzzard," for having on board certain articles prohibited in the Treaty of the 28th of June, 1835, on her voyage from Cayo Frances to Los Peritos (although said to be bound to Cardenas), to fit out upon another slaving expedition.

There are several cargoes upon the list, viz., 540, 400, and 600, which were landed at Ortigosa and Cabañas, or in that jurisdiction. As to none of these, has it been convenient for the Count Alcoy to hazard any observations. But my information came from a most undoubted source; it was from a poor man, who was afterwards found out and persecuted—poor Don Laureano Thomes; he was a schoolmaster in the district of Bahia Honda; some of his letters were intercepted; he was thrown into prison upon a false charge of some offence against the Government; and he presented himself at this office about three weeks ago in a state of utter destitution, after seven months' incarceration, begging the favour of my

assisting him to get to Mexico, where he said he had some relatives, as his prospects here had been ruined; and I paid his passage to Vera Cruz by the mail steamer which left this on the 24th instant (20 dollars), and gave him in money $21:2 more to assist him to the city, being 41¼ dollars out of my own resources, as I felt that his ruin by these people had been owing to his having furnished me the information upon which I acted as regarding these cargoes.

The 150 Bozals between Mariel and Cabañas were seen by my informant, and the circumstances are fully set forth in my despatch of the 20th of November last. I see that the Count Alcoy states that this landing did not take place, but that there was another, of 60 only, of whom 25 were captured. Now the truth is, that none of the 150 landed were captured, but that the 25 seized by the authorities were part of one of the cargoes denounced by me as having been landed at Ortigosa, the whole of which might have been captured if the officer who was sent from hence upon that service had not let the parties interested know that he was on his way from this place, and so gave time for the concealment of all the rest of the negroes.

No. 541.

Consul-General Crawford to the Earl of Clarendon.—(*Received July* 2.)

My Lord, *Havana, June* 3, 1853.

I HAVE the honour to lay before your Lordship copy of correspondence which I have had with the Captain-General relative to a landing of 600 Bozal negroes, which has been effected about a week ago on the coast of this island in the old Bahama Channel district, as his Excellency informs me, of San Juan de los Remedios. I understand that a magistrate and other officials have been sent to investigate the circumstances, but I have not heard that there was any opposition made by the local authorities at the time of the disembarkation, so that this cargo has been safely introduced, and most probably the investigation will end in nothing.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 541.

Consul-General Crawford to the Captain-General of Cuba.

Havana, June 1, 1853.

I HAVE received information upon which I think I can rely, that three or four days ago a vessel, which was afterwards burnt, landed 600 slaves on the coast to windward of Cardenas.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 2 in No. 541.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, June* 3, 1853.

HIS Excellency the Captain-General has informed himself of your Honour's letter of yesterday's date, acquainting him that, according to information, a landing of 600 Bozals had been effected on the coast to windward of Cardenas, directing me to say to you in answer that he has dictated all the necessary measures upon that subject.

His Excellency believes that this landing has not taken place, according to his information, on the coast of Cardenas, but on that of San Juan de los Remedios, where he has already given anticipated and efficacious dispositions.

God preserve, &c.

(Signed) LORENZO DEL BUSTO,
Political Secretary.

No. 542.

Consul-General Crawford to the Earl of Clarendon.—(*Received July* 2.)

(Extract.) *Havana, June* 4, 1853.

I HAVE again the disagreeable duty of reporting to your Lordship that a cargo of Bozal negroes has been landed on the south coast, to the north-west of the Isle of Pines, at a place called Bailen.

I have the honour of laying before your Lordship a copy of my letter to the Captain-General upon this subject; and although I have not received an acknowledgment of the receipt of this denouncement, I can anticipate the result to your Lordship, as I have perhaps better information of the whole case than General Cañedo.

It appears that his Excellency, having heard of the disembarkation, despatched Don José Maria Espada, a colonel of his confidence, to the spot, with orders to investigate the circumstances, and I have the fullest information of the whole of the proceedings, which have ended in Colonel Espada's returning to this city with the "expediente" or proceedings closed, and showing that no such landing of Bozal negroes took place at all!

As this history is rather a curious one, and as it may serve as a pattern, so to speak, of a good many more, and show your Lordship how such matters are managed here, I shall trust to your Lordship's indulgence in extending this despatch to possibly an unusual length.

The negroes, 280 in number, were landed at Bailen from a ship, and the disembarkation was conducted under the direction of Don Manuel Calvo, the Agent Director of the new company of steamers which run from Batabano to Bailen, and that of Don Pio Dias, who conducted them to his farm called El Valle, in the district of Guane, distant three leagues from the landing-place. They were then divided into lots, 48 to Don José Hernandez Alvares, 20 to Don Francisco Sener and Don Andrez Acosta, 20 to Don José Maria Hernandez, 20 to Don Carlos de la Oliva, 44 to Don Ventura Pequeño, a large lot to Don Pio Dias, and the rest in smaller parcels. They were immediately sold and disposed of.

The lot purchased by Don Ventura Paqueño having been sent in two parties of 30 and 14 each, were intercepted by the Capitan de Partido, Don Pedro Ustoa, who participated his intention of capturing them to the Lieutenant-Governor at Pinar de Rio, but received orders, and had to desist!

The Captain Commandant of San Juan y Martines, Don José Mateo, would also have captured them, but he was told that they (the whole of the negroes) were already incorporated at the farm El Valle, and in this instance the 9th Article of the second titulo of the Penal Law operated to prohibit that officer's interference.

The negroes were seen on the road by Don José Balbás, the Corporal of the Rondas, and why he did not act is not known.

The Lieutenant Acting Captain of Guane, Don José Perea, went to El Valle with a considerable escort: he suffered his authority to be insulted by Don Pio Dias. He has since found it convenient not only to abstain from complaining of this act, but he it is who has managed the whole "expediente"; he procured the witnesses who have sworn falsely, and the result to which I have alluded upon the whole affair.

With respect to the vessel in which these slaves were brought, it was intended that she should have gone to the Isle of Pines to purify, and thence proceed to Havana; but she grounded on a bank about a mile from the landing-place at Bailen, and they had to set her on fire. She burnt, however, so slowly, that she was nearly two days in consuming, and was seen on fire from all parts of the neighbouring coast . . . . . it is said, received a valuable consideration for his silence upon the occasion, and there is reason to suspect that complete arrangements have been made in that quarter for introducing two cargoes of about 500 slaves each, which are expected almost immediately to arrive under Brazilian colours.

It will depend upon the nature of the Captain-General's answer to my letter denouncing this violation of the Treaty, whether I may or may not deem it advisable to communicate to him the full information which I have had the honour of submitting to your Lordship in this despatch.

P.S.—I have received the Captain-General's answer of this date since I wrote the foregoing, and I have the honour of transmitting a translation herewith to your Lordship.

Inclosure 1 in No. 542.

Consul-General Crawford to the Captain-General of Cuba.

Havana, June 2, 1853.

THE 280 Bozal negroes recently landed on the south coast at Bailen, were, as I have been informed, taken to the hacienda called El Valle, which is situated about three leagues from the landing-place, and were divided into lots, and sold to various persons.

I have also learnt that those interested had information of the prompt measures which were dictated by your Excellency on this occasion; so that most probably your Excellency's good intentions will be frustrated, as the Bozals have all been hidden or sent away from the places to which they had been taken by those who brought them, or who were concerned in the adventure.

The ship from which this cargo was landed was set on fire where she lay, close to Bailen, and the burning of her hull, &c. (which lasted the greater part of two days) was seen from all the neighbourhood. And it did not fail to excite the astonishment of everybody that such transactions should take place under the eyes of the Sub-delegado de la Marinha, as well as that 280 Bozal negroes should be allowed to pass from the landing-place to the hacienda El Valle, without the interference of the Lieutenant-Governor.

I have also received information that two more vessels are almost immediately expected with Bozal negroes, which are to be landed anywhere that may be found most convenient between the Isla de Pinos and the coast of this island from Batabano to the westward.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 2 in No. 542.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, June* 4, 1853.

HIS Excellency the Governor Captain-General received your Honour's official letter of the day before yesterday, and has desired me to say to you, that with regard to the circumstance of which you inform him that at the farm called El Valle, 280 Bozal negroes were taken, who had been landed on the south coast at Bailen, already several days ago that news had reached him, and his orders were already given for the investigation of the said infraction, which he has repeated most positively for the punishment of the guilty; having circulated also the most severe orders to all the subaltern authorities of this island for the persecution of that so reprobated Traffic.

God preserve, &c.

(Signed) LORENZO DEL BUSTO,
Political Secretary.

No. 543.

Consul-General Crawford to the Earl of Clarendon.—(*Received July* 2.)

My Lord, *Havana, June* 6, 1853.

NOT having been favoured with any acknowledgment or reply to the letter which, on the 13th of April, I addressed to the Mixed Court of Justice at this place, requesting to be furnished with copies of the lists of the emancipados which the Captain-General was directed by the Spanish Government to send in to that tribunal, in conformity to Articles V and VI of Annex D to the Treaty of the 28th of June, 1835, I deemed it my duty to remind the Court of the necessity of my being enabled, by having a copy of said lists, to comply with the instructions of Her Majesty's Government.

I have the honour of laying before your Lordship a copy of my letter to the Marquis de Esteva and to Mr. Backhouse, the Judges of the Mixed Court, dated the 28th ultimo, and of the answer which I have received, dated the 2nd instant, by which your Lordship will perceive that, until now, the Captain-General has not sent the lists which are stipulated by the Treaty to be furnished to the Mixed Court, notwithstanding the assurance which was given to Her Majesty's Representative at Madrid by the Spanish Government, that General Cañedo had been directed to deliver the said lists of emancipados.

As M. Bertran de Lis' note to Mr. Otway is dated so long ago as the 9th of September last year, and I took care to notify the Captain-General thereof on the 3rd of November, your Lordship may be able to form an estimate of what dependence is to be placed upon the assurances of the Spanish Government upon anything that has reference to slavery or the Slave Trade.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 543.

Consul-General Crawford to the Judges of the Mixed Commission Court.

Havana, May 28, 1853.

ON the 13th ultimo I did myself the honour of addressing you, requesting that the Court would be pleased to order copies of the lists of the emancipados which it is provided, by Articles V and VI of Annex D to the Treaty between Great Britain and Spain, of the 28th of June, 1835, are to be furnished to the Mixed Court by his Excellency the Captain-General, which lists I had hoped would contain the most detailed and accurate information as to the numbers and condition of the survivors of the emancipados and their families, which I have been instructed by Her Majesty's Secretary of State to obtain and transmit to Her Majesty's Government.

Not having been honoured with any reply to that communication, I now beg leave to refer to its important contents, and to express a hope to be favoured with the information, which is required for Her Majesty's Government, as soon as it may conveniently be possible.

I avail, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 2 in No. 543.

The Judges of the Mixed Commission Court to Consul-General Crawford.

(Translation.) *Havana, June* 2, 1853.

THIS Mixed Court of Justice not having yet received from his Excellency the Captain-General the lists of emancipados alluded to in your Honour's communication of the 4th of November last year, and the

two letters reminding the Court thereof, dated 13th April and 28th ultimo, and this Court not being informed by the Supreme Government of Her Catholic Majesty that orders had been given to his Excellency to furnish such lists, it is not possible to answer your Honour in any other way than to make this manifestation, although somewhat delayed, owing to the hope which, duly confiding in what your Honour had stated relative to these affairs, that from one day to another, these data would have been obtained from the superior Government.

God preserve, &c.

(Signed) THE MARQUIS DE ESTEVA.
G. C. BACKHOUSE.

No. 544.

Consul-General Crawford to the Earl of Clarendon.—(*Received July* 2.)

(Extract.) *Havana, June* 9, 1853.

I HAVE the honour of laying before your Lordship copy of a correspondence which I have had with the Captain-General of Cuba, relative to the landing of the "*Lady Suffolk's*" cargo of negroes, consisting of nearly 1,200, which it was currently reported had been effected successfully between Mariel and Bahia Honda; but his Excellency informs me that on that part of the coast the only thing which has been discovered, until the 7th instant, is a brig-schooner, which, at the time of her capture, had been abandoned by her crew.

The "*Lady Suffolk*" is a large ship; consequently the abandoned vessel to which the Captain-General refers must be another. With regard to the negroes, which no doubt was landed from the "*Bergantin Soleta*," his Excellency is silent altogether; and your Lordship will no doubt observe, that the caution conveyed at the beginning of the Secretary's note is prohibitory of my asking questions, or of my making any observations whatever upon these most glaring and frequently-repeated violations of the Treaty, beyond the bare denouncement of the fact in my communications to General Cañedo; and as the Captains-General never themselves allude to any information which they may have received, I am left to discover, as I best can, all the other circumstances connected with the appearance of the derelict, "*Bergantin Soleta*," off the coast to the westward, between Mariel and Bahia Honda.

In the meantime the rumours are repeated; and I have no doubt of the fact of the "*Lady Suffolk's*" cargo of 1,250 (it is said) having been run at some place or other, but where, I have not yet been able to make out.

I have ascertained, however, the disembarkation, subject of my despatch of the 3rd instant, was effected at Cayo Frances, from a ship which arrived there under American colours, on the 24th ultimo; that the negroes were 684 in number; that they were taken out of the ship by two lighters sent by the Sub-delegado de la Marinha, Don Hipolito Escobal, which launches are called the "*Antonio*" and the "*Fina*." Said lighters or launches landed the negroes, and passed Cay Barien about half-past 7 on the morning of the 25th, and landed the slaves at a place called Péneo, near the estate Fina Guayabo. They were conveyed during the night of the 25th to the town of San Juan de los Remedios, and lodged in Calle San Salvador and Calle de Valma, from whence they were taken in lots to the estates in the interior, under the custody of armed men. A certain Don S. Alberni (qy. a person in office?) sent away the local officers from the place where the disembarkation was to take place, and kept them out of the way until that operation had been accomplished.

The ship was afterwards burnt, and my informant says that Don . . . who saw that at 11 o'clock at night they were taking the provisions and materials out of the ship previous to her being set on fire, and reported the circumstances to the Lieutenant-Governor, was reprehended by that authority.

Such, my Lord, is the state of things in this island. His Excellency, as I reported in my former despatch respecting this violation, has sent a magistrate and other officials to investigate the circumstances, but I have no doubt whatever that the result will be similar to that of the recent case which occurred at Bailen, detailed in my despatch of the 4th instant, and really, if General Cañedo is sincere in his endeavours to suppress the Traffic, his good intentions, as your Lordship will see by the history which I have been enabled to lay before your Lordship, have been completely frustrated by the local authorities, and the want of tact (if it be no worse) of those who have been commissioned by his Excellency upon these investigations.

There is not one instance of the officers doing their duty, either by preventing the landing of slaves, or by their capturing them and those who are concerned in the transaction after they have been landed; so that there is no prevention whatever of slave-trading, nor ever has been, since whatever happens the negroes are always landed, and slavery is kept up by the supplies brought from Africa: for even if all which are brought in were to be seized by the Spanish authorities, their being declared to be emancipados would only be to place them in a worse condition than they would have been as slaves.

From all quarters of the island, there are rumours of the landing of Bozal negroes. The Brazilian Company is driving a brisk trade in connection with its agents on the south side of the island, and the Cays which lay off the coast of Cuba almost everywhere, are so dangerous to those who are unacquainted, whilst that circumstance is especially favourable to those who know the passages between and inside of them, that in my opinion, even if Cuba were beset by our cruizers, we should not be able to put down the Slave Trade.

Inclosure 1 in No. 544.

Consul-General Crawford to the Captain-General of Cuba.

Most Excellent Sir, *Havana, June* 5, 1853.

I REGRET exceedingly that it is my very disagreeable duty to notice to your Excellency the alarming frequency of the introductions of slaves at various places in the island, and that it is said and believed that between 1,100 and 1,200 Bozal negroes have very lately been landed on the coast to the westward of Mariel, or between that place and Bahia Honda, supposed to have been brought by the celebrated ship the "*Lady Suffolk*," commanded by Don Eugenio Viñas. And I request that your Excellency will do me the favour of letting me know, for the information of Her Majesty's Government, the particulars of this violation of the law which may have come to your Excellency's knowledge.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 2 in No. 544.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, June* 7, 1853.

HIS Excellency the Governor Captain-General received your Honour's official letter of the 5th current, and orders me to say to you that, although in your Excellency there does not reside the authority, with regard to the introduction of Bozal negroes into this island, for anything

else than, according to your information, to denounce those who have been so introduced, or who are about to be so, and although every observation in such cases is altogether unnecessary towards his authority, whose zeal and vigour in the repression of this immoral Traffic is of public notoriety, he ought to acquaint you in answer to your said letter, that all his information to this date, is different from your Excellency's with regard to the rumours you allude to, of the recent introduction of 1,100 or 1,200 Bozal negroes on the coast, to the westward of Mariel, or between that port and Bahia Honda, brought as your Excellency indicated by the celebrated barque "*Lady Suffolk*," commanded by Don Eugenio Viñas.

That I am to repeat to you that his information, obtained from special agents of his entire confidence, and the proceedings, which he has before him, which were gone into respecting this disembarkation, gives him until now the assurance that it is false, at any rate upon that coast, where there has only been found a brig schooner, which at the time of her capture was found to be abandoned by her crew; and that if from the renewed inquiries which from this time are to be carried on, he is made to know anything to the contrary, his duties will be fulfilled as always; hoping that under these circumstances your Honour will let him know without delay, the proofs which you may receive which contribute to clear up this matter, in the supposition that his energy to oblige the fulfilment of the existing Treaties, is on a par with the lively interest he feels in that the inexactitude perhaps of the informations multiply cases, the exact knowledge of which he cannot have left in doubt, reporting consequently to the Government of Her Catholic Majesty your Honour's letter already mentioned and his answer.

God preserve, &c.

(Signed) LORENZO DEL BUSTO,
Political Secretary.

No. 545.

The Earl of Clarendon to Consul-General Crawford.

Sir, *Foreign Office, July* 6, 1853.

WITH reference to the several representations which you have recently made to Her Majesty's Government, relative to the revival of the Slave Trade of Cuba, I herewith transmit to you, for your information, a copy of a despatch and of its inclosures which I have received from Her Majesty's Chargé d'Affaires at Madrid, and a copy of the answer which I have returned thereto.*

I am, &c.
(Signed) CLARENDON.

No. 546.

The Earl of Clarendon to Consul-General Crawford.

Sir, *Foreign Office, July* 16, 1853.

I TRANSMIT herewith, for any observations which you may have to make thereupon, a copy of a despatch† which I have received from Mr. Otway, Her Majesty's Chargé d'Affaires at Madrid, inclosing a copy of a letter from General Lersundi, the Spanish Minister for Foreign Affairs, who states that the information which you are in the habit of communicating to the Captain-General of Cuba, respecting the landing of negroes in Cuba, frequently turns out to be incorrect.

I inclose also a copy of a despatch‡ which I have addressed to Mr. Otway upon this matter.

I am, &c.
(Signed) CLARENDON.

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* Nos. 424 and 427. † No. 425. ‡ No. 429.

No. 547.

Consul-General Crawford to the Earl of Clarendon.—(*Received July* 18.)

(Extract.) *Havana, June* 18, 1853.

I HAD hoped that there might have been a cessation of the outfits and preparations for carrying on the Slave Trade; but it seems as if the successful introduction of Bozal negroes, of which we have had so much reason to complain of late, had stimulated the slave-traders to renewed exertions.

I have, under these circumstances, to report to your Lordship, that Captain Dominguez, of the "*Cubano*" coasting-steamer, who was concerned in the disembarkation of Bozal negroes recently at Bailen, on the south coast of this island, has sailed from the Isle of Pines for the coast of Africa, to bring a cargo which is all ready to load there.

The schooner he went in, name unknown;

The schooner "*Pajaro Verde*" sailed from this port on the 14th instant;

The schooner "*Euphemia*," 145 tons, bought by a trader from this place, sailed from Key West for the coast of Cuba to take in her fittings;

And a Catalan, whose name is Don Juan Col, left this a few days ago for the United States, to buy and equip a vessel for the coast of Africa, to bring slaves to this island.

The cholera has been ravaging some of the estates in the centre of cultivation inland, and as there is a certain sale for as many new negroes as arrive, at prices varying from 460 to 600 dollars, added to the facility of introduction which has of late been experienced everywhere along the coasts of this island where the slavers have come to, there is the strongest inducement to embark capital in expeditions which yield such enormous profits.

There are Spanish cruizers all about the coasts and cays, so that it is almost impossible the slave-traders could all escape being seen by them; notwithstanding this, they all get in safely, and they know quite well that, wherever they please to land, the local authority will be found quite ready to accept the advantageous offers which the slavers are always prepared to make, and so the unfortunate negroes are most certainly landed, and the profits of the voyage are secured.

I think it necessary to observe to your Lordship that the peculiar formation of the Island of Cuba, surrounded as it is almost by reefs, cays, and shoals, which lay at considerable distances away from the mainland of the island,—between which reefs, cays, and shoals there are passages, safe enough, perhaps, for those who, like the slavers, are well acquainted with their intricacies, or have experienced pilots awaiting them, but which it would be the height of imprudence for our cruizers to attempt,—renders the prevention of slavery exceedingly difficult, however vigilant the officers may be who are employed on this service; and your Lordship will easily understand that service on such a coast, to be effective, must, in a great measure, be carried on in the boats of the squadron at great risk and exposure in such a climate. And then arises another question, which will certainly be raised by the Spanish authorities, as to our interference in their waters, or within their jurisdiction, since they are even disposed to dispute our right to board or detain any of their coasters—a right which, if they could be exempted from, would enable them to carry on the Slave Trade with complete impunity, for it is well known that there are numerous slavers, such as the "*Venus*" and the "*Carlotta*," both condemned here in the Mixed Court, which use the coasters' flag, whether it be to sail direct to the slave-coast, or to carry slaver-equipments to other vessels, as was done by the two coasting-schooners and the coasting-steamer "*Sirena*," which carried the water, armament, master, and crew to the "*Lady Suffolk*." Besides which, the coasting-schooners and steamers are employed constantly in assisting the slavers to land their cargoes all around the island.

But it is upon the responsibility of the Governor and Captain-General that the greatest stress should be laid, because we know by experience that, whenever his Excellency is determined that it should be so, not one cargo of slaves can be introduced into Cuba.

No. 548.

Consul-General Crawford to the Earl of Clarendon.—(*Received July* 18.)

(Extract.) *Havana, June* 20, 1853.

IN my despatch dated the 9th instant, I did myself the honour of laying before your Lordship the copy of a correspondence which I had had with the Captain-General of this island, respecting a cargo of Bozal negroes said to have been landed from the ship "*Lady Suffolk*," and it appeared by General Cañedo's answer to my communication upon that subject, that the information I had received was incorrect as to the place mentioned, for that the only circumstance which had occurred in that direction was the finding of a brigantine near Mariel, which had been abandoned by her crew.

I have since learnt that said brigantine had, previous to her being abandoned, effected the safe landing of her cargo of 300 Bozal negroes.

Additional information having reached me respecting the disembarkation at Bailen (subject of my despatch of the 4th instant), and finding that his Excellency's good intentions in that quarter had been frustrated by the combinations of the slavers and the Government officers at Pinar del Rio, I thought it proper to address a private note to General Cañedo, copy of which I have now the honour of inclosing herewith to your Lordship. The information which it contains, if acted upon by his Excellency, will certainly lead to the discovery of the whole facts of this case, and to the detection of the parties concerned, as well as the connivance of most of the Spanish officers of that district, from the Lieutenant-Governor down to the corporals of the rounds, and the Sub-delegate of the Marine on the sea coast.

I took occasion, at the same time, to communicate to the Captain-General some of the circumstances of the case at San Juan de los Remedios, which are mentioned in my despatch to your Lordship of the 9th instant.

As yet I have not been favoured with any acknowledgment or reply to that confidential letter, which I hope may have answered the purpose for which it was intended.

I beg leave to lay before your Lordship copy of a letter which it was my disagreeable duty to address to the Captain-General on the 15th instant, in consequence of my having ascertained the disembarkation of 1,283 Bozal negroes from on board the "*Lady Suffolk*," at Ensenada de la Zapata, in the district of Cienfuegos, and also that of 640 in the same district from a vessel, name unknown, about the same time.

Mr. Fowler, the British Vice-Consul, is engaged in endeavouring to learn all the particulars of the last-mentioned case.

With regard to the case of the "*Lady Suffolk*," (or by whatever name that vessel is now known,) I am enabled to state to your Lordship that the commander, Don Eugenio Viñas, having received information, about the middle or a few days later last month, at Cayo Frances near San Juan de los Remedios, in the old Bahama channel, to the effect that Her Majesty's steamers "Buzzard" and "Medea" were cruizing thereabouts, it was determined to change the course of the slaver and to proceed to the opposite side of the island; of this determination the owner, Don Julian Zulueta, had immediate information, and it is said that he proceeded to Cienfuegos, and made satisfactory arrangements there with the Lieutenant-Governor, which were fully carried out.

The "*Lady Suffolk*" came to La Zapata, and there, in the Ensenada de los Cochinos, safely landed her cargo. Of these, 650 were taken for

account of Don Julian Zulueta and Don Pedro Forçade, across the country to Managuises, where the former has the estate called the Alamo; 40 were stolen by the country people, who have them safe at their places about the point where they were landed; and the rest, about 570, were distributed between the Messrs. Abreus, the Cabreras, and the Licenciado Don Gregorio Dias de Villegas, the Regidor of Cienfuegos, and taken to the estates called Santa Rosa, Dolores, or La Josefa, and to another new estate which is being made by the Regidor's son, in the district of Cumanayagua; the estates of the Abreus being between Cienfuegos and Santa Clara, which latter place is about midway between the north and south sides of the island.

There is no doubt a considerable anxiety manifested by General Cañedo to detect the guilty parties in these last violations of the law and of the Treaty for the suppression of the Slave Trade. If these manifestations have been sincere, it is lamentable to observe with what facility his Excellency's intentions have been frustrated, and his orders evaded or disobeyed, whilst the semblance of good faith and strict obedience have been kept up by those appointed to carry out his dispositions; but deceptions such as those which I have shown to be in practice, cannot long escape detection, and I shall be much pleased to see some examples made of those who have been engaged in such infamy—their punishment will be the surest proof of the Captain-General's honourable intentions.

Inclosure 1 in No. 548.

Consul-General Crawford to the Captain-General of Cuba.

(Translation.) *Havana, June* 14, 1853.

I HAVE the honour of placing within your Excellency's knowledge the following facts respecting the affair of the disembarkation of Bozals at Bailen on the south coast.

That the purchasers were Don Francisco Gener, Don José Maria Hernandez, and Don Andres Acosta, residing at San Juan, Don José Hernandez Alvarez of Pinar del Rio, Don Carlos de Oliva of Guane, Don Pio Dias, and his brothers Don Gregorio and Don Gil, the sons of Don Pio, Gonzales and Rafael, Don Fernando Gonzales, residing at Las Lucas, and Don Lorenzo Garcia at Llanada.

Being aware of the efforts and measures taken by your Excellency, and of what has been put in practice by the authors of this act with the intention of frustrating, if they can, your Excellency's dispositions, I hope that you will be pleased to permit the following information, if your Excellency judges it to be convenient. To call up to declare: the corporal of the rounds at Pinar de Rio, Don Manoel Quintana Alvarez, who fell in with a large party of Bozals who were being conducted by Don Juan Ventura Pegueno; Don Marcalo Cuartin, who wanted to purchase a lot of them at El Valle, and could not agree for them; Don Manoel Hidalgo, who knows where some of them whom he has seen are hidden away; Don José Veles and Don Benito Herrera, who drew a bill for 6,000 dollars in this business; the Capitanes Pedaneos of Pinar del Rio, Don Pedro Ustoa of San Juan, Don José Mateo, as well as him of Guane, Don Angel Palacios. Interrogate them and they will disclose to your Excellency the facts of all these acts. At the same time order the arrest of all the purchasers, and separately arrest Don José Perez Mendez, the Captain of Guane.

The prices these negroes obtained have been from thirty ounces up to thirty-five each.

As to the disembarkation which took place on the 24th or 25th of last month at San Juan de los Remedios, it consisted of 684, effected in the launches or lighters the "*Antonia*" and the "*Fina*," belonging to the Sub-delegate of the Marine, Don Hipolito Escobal; it was done near the

estate called the "Fina Guayabo," from whence the negroes were conveyed to the town during the night in cars to the streets San Salvador and Valma, from whence they were distributed to estates in the interior.

The local officers (pedaneos) at the place of the disembarkation were sent off and taken in another direction by Don S. Alberin, and Don José Maria Gil was reprehended by the authority for having reported that he had seen the provisions and materials removing from the slaver vessel before she was set on fire.

God preserve, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 2 in No. 548.

Consul-General Crawford to the Captain-General of Cuba.

Most Excellent Sir, *Havana, June* 15, 1853.

I HAVE delayed doing myself the honour of acknowledging the receipt of your Excellency's letter of the 7th instant, in the hope of my being able to state to your Excellency something certain as to the landing of the cargo of the "*Lady Suffolk*" slaver, which vessel was under the command of the notorious Don Eugenio Viñas, and I believe there is no doubt whatever that upwards of 1,200 Bozal negroes have been disembarked from said ship, the "*Lady Suffolk*," last month on the south side of the island between Cienfuegos and Batabanó, 300 of them I learn were sold in and about Villa Clara for about twenty-seven ounces* each. I have also learnt that these negroes, after their disembarkation, were conveyed from the south side to estates in the interior, and that a great number of them were taken to those near Managuises, and that many died on the road.

I have also information that previous to the landing of the cargo of the "*Lady Suffolk*" (or by whatever other name that ship may now be known), another vessel landed about 640 also on the south side of the island in the district of Cienfuegos; and I have also to acquaint your Excellency that Señor Dominguez, who was captain of the steamer "*Cubano*" (which steamer carried to the Isle of Pines 40 of the Bozals who were recently landed at Bailen), said Dominguez has sailed from the south coast in a schooner bound to the coast of Africa, for the purpose of bringing to this Island of Cuba a number of Bozals which were ready, but which could not be brought over by the ship which was burnt at Bailen after landing the cargo at that place.

All of which information I have the honour of submitting to your Excellency for such purpose as may be deemed expedient.

I have, &c.

(Signed) JOS. T. CRAWFORD.

No. 549.

Consul-General Crawford to the Earl of Clarendon.—(*Received July* 18.)

My Lord, *Havana, June* 21, 1853.

I HAVE the honour of reporting to your Lordship that 235 negroes, those who were captured, some of them from the estates where they were taken after they were landed from the Spanish brig "*Arabia*," subject of my despatches of the 24th and of the 29th of March last, have been declared emancipados by his Excellency the Captain-General.

It may, therefore, be inferred that the principle inculcated by Article IX, tit. 2, of the Spanish Penal Law may be departed from in cases like that of the slaver referred to, which was under the command of Capó;

* An ounce is about one guinea and a half.

but I have not heard of any proceedings being followed out against the parties who were arrested upon that occasion as being interested in that expedition, nor against the Governors of Matanzas or of Cardenas, for allowing so very scandalous an infraction of the Treaty to be committed in sight of the residence of the latter; the victims being taken to places in both districts in so public a manner as to make it almost impossible such an act could be unnoticed, unless there had been a criminal connivance of the local authorities.

I have also the satisfaction of acquainting your Lordship that the brig "*Imperatriz*," which I did myself the honour of reporting in my despatch of the 15th of May, 1852, had been seized at Los Falcones in consequence of my denouncement to Captain-General Don José de la Concha upwards of fifteen months ago, has been condemned and sold for 715 dollars at Sagua la Grande as having been engaged in the Slave Trade and ordered to be broken up. But as the "*Cora*," which was seized under similar circumstances, was condemned and sold, ought also to have been broken up, and was afterwards met with at sea by Her Majesty's steamer "Buzzard," with some of her original slaver fittings on board, under the name of the "*Casualidad*," and sent in for adjudication of the Mixed Court at this place, so it would not surprise me to hear that the brig "*Imperatriz*," under some other name, had made another successful voyage to the coast of Africa: therefore, I have thought it necessary to request my agent at Sagua to watch the "*Imperatriz*," and report to me if it is attempted to fit her out, or to send her to sea.

I have also to report to your Lordship that the notorious slaver Don Julian Zulueta was arrested last night at 11 o'clock, and is now confined in the Fort Cabañas, opposite the city. As Zulueta's arrest is supposed to be owing to his being connected with the Slave Trade, and especially as being the principal owner of the "*Lady Suffolk*," the whole gang of the slave-traders have been thrown into the greatest state of alarm and consternation.

I must presume that his Excellency the Captain-General did not imprison a man of M. Zulueta's wealth and consequence in this community, without good and sufficient grounds, and if the prosecution against him is followed out in such a manner as to leave no room for any suspicion of arrangement to defeat the ends of justice, General Cañedo will have given the strongest possible proof that there is a determination to cause the obligations of Spain under the Treaty for the suppression of the Slave Trade to be faithfully observed in future.

I have, &c.
(Signed) JOS. T. CRAWFORD.

No. 550.

Consul-General Crawford to the Earl of Clarendon.—(*Received July* 18.)

My Lord, *Havana, June* 23, 1853.

I HAVE the honour of acknowledging the receipt of your Lordship's despatch dated the 10th ultimo, and inclosures, relative to the Spanish brig "*Paquete Canario*," which was at Monte Video on the 7th of March last, then about to sail with a lawful cargo for England, and intended, after having landed her said cargo, to be dispatched for Cuba in ballast, from whence she was to be employed as a slaver.

I have, in consequence of your Lordship's despatch, addressed a communication to his Excellency the Captain-General, a copy of which I have the honour to inclose herewith; and I have no doubt that the proper orders will be issued to watch the "*Paquete Canario*," and frustrate the intention of her owner, Don José Maria Sumar, should he persist in sending her to the coast of Africa.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure in No. 550.

Consul-General Crawford to the Captain-General of Cuba.

Havana, June 23, 1853.

I BEG leave to acquaint your Excellency that I have received a despatch from Her Majesty's Secretary of State for Foreign Affairs, the Right Honourable the Earl of Clarendon, transmitting the copy of a despatch which was addressed to his Lordship on the 16th of March last by the British Chargé d'Affaires at Rio de Janeiro, stating that the Spanish brig "*Paquete Canario*," which was then, on the 7th of March last, at Monte Video, and about to sail from thence for England, was intended, after having discharged her legal cargo there, to be dispatched to this Island of Cuba for the purpose of taking in fittings and equipments, and then proceed to the coast of Africa on a slave-trading voyage.

As a period about sufficient for the "*Paquete Canario*" to have made the voyage from Monte Video to England, and from thence to this island, has elapsed, the said vessel may soon be expected to arrive at some port or place in this island to fit out on her slaving expedition.

I consider it my duty to address this communication to your Excellency, and would respectfully suggest that such orders as may be deemed expedient should be issued to detect and capture the "*Paquete Canario*," should it be attempted to equip her for the Slave Trade anywhere within your Excellency's jurisdiction in this island.

I have, &c.

(Signed) JOS. T. CRAWFORD.

No. 551.

Consul-General Crawford to the Earl of Clarendon.—(*Received July* 18.)

My Lord, *Havana, June* 24, 1853.

UPON the receipt of your Lordship's despatch of the 20th ultimo, and its inclosure, which I have the honour to acknowledge, I addressed a communication to his Excellency the Captain-General, a copy of which I have now the honour of inclosing herewith to your Lordship.

The American barque "*Jasper*," the subject of Mr. Consul Beecroft's despatch, left this port once before her last voyage, and proceeded to the coast of Africa, under the command of the master, Samuel Young, named in that despatch.

Upon that occasion she had on board three British seamen, and some others, Americans.

Upon her arrival she did not find the slave-traders, her real owners, to whom she was to be transferred by Captain Young, at Sierra Leone, and she proceeded to almost every trading place on the coast.

It was, I think, at Little Popoe that the Spanish owners were taken on board. Twice the planks for a slave-deck were taken in, but the Englishmen and Americans would not allow any slaves to be embarked, so that the cargo, which was intended to pay for the negroes, was ultimately bartered for palm oil, and with part of a cargo thereof the "*Jasper*" returned to this port on the 10th of December, 1851, after an absence of eleven months.

The Spanish owners came over in her from Africa, and every effort was made by them to take her over from Captain Young; but difficulties were raised which could not be overcome, and so the "*Jasper*" sailed for New York on the 20th of August last.

There was great doubt whether she was really bound to the port of New York for which she cleared, as I had information that she was to be transferred to the Spaniards at Key West.

The "*Jasper*," however, encountered a heavy gale of wind. She was so much damaged that she had to put into Key West; and, owing to the said damages, she had also to go on to New York, where, upon her arrival, she was subjected to a process, in consequence of the declarations of the American seamen who had been on board her the previous voyage to the coast of Africa, but from which process it seems she had got clear, no doubt for want of proof that she had been engaged in the Slave Trade, and, as was to be expected, she proceeded again to the coast.

As the vessel, the name of which I have not been able to ascertain, that recently landed 680 Bozals at San Juan de los Remedios, was a ship or barque of about the size of the "*Jasper*," capable of stowing the above-mentioned number of slaves (the "*Jasper*" being 306 tons per register), I have an idea that she it was which was burnt at Cayo Frances after the landing was effected, and I have communicated my suspicion to the Captain-General, considering that it might aid in the investigation of the circumstances which, by his Excellency's order, is now going on at San Juan de los Remedios, to discover and punish the parties who were engaged in that violation of the Law and of the Treaty for suppression of the Slave Trade.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure in No. 551.

Consul-General Crawford to the Captain-General of Cuba.

Havana, June 23, 1853.

HER Majesty's Secretary of State for Foreign Affairs, the Right Honourable the Earl of Clarendon, has transmitted to me the copy of a despatch which he had received from Her Majesty's Consul, dated Fernando Po, the 6th of April last, giving information that an American barque the "*Jasper*" had succeeded in getting clear with a cargo of slaves shipped at some place between Cape San Paulo and Popoe.

The vessel alluded to sailed from this port for New York, and from thence must have gone to the coast of Africa, where she had been on a former occasion, when she sailed from this port of Havana;* but upon this occasion the English and American sailors who were on board of her would not allow the captain to take any slaves on board, and she returned here with part of a cargo of palm-oil, and brought as passengers her real owners, although the vessel was under the American flag.

The English sailors upon their arrival at that time made their declarations at this office as to their having successfully opposed the taking on board of slaves, and the Consul of the United States here would not permit the transfer of the "*Jasper*" to the Spanish owners who, as I before have stated, came from the coast of Africa as passengers to this port. And the Consul of the United States considered the case of the "*Jasper*" so suspicious altogether that she did not obtain her clearance for New York until the 20th of August last.

It would appear, however, that notwithstanding all these precautions this vessel has made a slaving voyage to the coast of Africa, and I have some reason to think that she brought her cargo to this island, always under American colours.

Knowing the efficacious measures which have been adopted by your Excellency to discover the authors of the violation of the law and of the Treaty which took place at San Juan de los Remedios on the 24th and 25th of May last, I hope that your Excellency will agree with me in opinion that, probably, that expedition was the "*Jasper's*," the more so, as a vessel of her measurement, 306 tons, would bring over about the

* The barque "*Jasper*," from Minhachica, Africa, to the consignment of Don L. Garcia, arrived at Havana on the 10th December, 1851.

same number of slaves as, it is said, were landed at San Juan. I therefore hasten to lay this information before your Excellency, as it may facilitate the investigations.

I have, &c.
(Signed) JOS. T. CRAWFORD.

No. 552.

Consul-General Crawford to the Earl of Clarendon.—(*Received July* 18.)

My Lord, *Havana, June* 25, 1853.

I HAVE the honour of acknowledging the receipt of your Lordship's despatch dated the 24th ultimo, transmitting for my information copy of a despatch which your Lordship had received from Her Majesty's Minister at Madrid, inclosing a copy of a letter from the Spanish Minister for Foreign Affairs, stating that the Captain-General of Cuba had authorized the District-Governors of this island to enter any estates where there may be reason for suspecting that newly imported negroes are concealed, and to deliver up such negroes to the Captain-General.

I have carefully perused and considered General Lersundi's note to Lord Howden, and I have the greatest satisfaction in stating to your Lordship that there is, within the last month or so, a manifest difference in the measures adopted by the Government of this island to check the alarming extent of the Slave Trade.

I have repeatedly adverted to the effect which was produced by that Article in the Penal Law which was calculated to foment the detestable Traffic, by the prohibition which it expresses to the authorities following Bozal negroes upon the estates in this island, and which operated to make the slave-trader believe, that if he could only get the slaves upon any estate, after they were landed, his purpose was accomplished, and his profits secure.

That this ought never to have been the interpretation of the law, every person, not a slave-trader or a slave-dealer, will easily admit; but that the wording of the clause is truly a protection to the extent which the slavers thought it can hardly be denied, and so it is hinted at by the Spanish Secretary of State in the note now before me, where he says to Lord Howden—"Your Excellency cannot fail to know that this proceeding might be qualified as but little in conformity to the established laws."

I therefore quite agree with General Lersundi, that General Cañedo's determination to give to the law the proper interpretation which he has now done, and which it appears has met with the approbation of the Government of Her Catholic Majesty, is indeed a proof of his Excellency's loyal intentions to suppress the Traffic in Slaves; and I venture to suggest to your Lordship, that the Spanish Government would render this measure complete and thoroughly effective were they to follow it up by the registration of slaves all over the island, so that whenever it becomes necessary for the Governors of Districts, under the Captain-General's orders, to follow Bozal negroes on to any of the estates, the owners of such estates might have the protection of their register for the *bonâ fide* slaves belonging to the property, by which means also all disputes would be avoided and put an end to, as it would only be necessary to muster the hands according to the registry.

I have seen, with the deepest regret, the observations in which his Excellency General Lersundi has thought proper to indulge as expressive of "General Cañedo's apprehensions and regrets that, notwithstanding all his efforts, Her Majesty's Government never can appreciate the sincerity of his conduct, owing to the mistaken reports which in every case they will receive from Mr. Crawford, who, because of his personal opinions, finds nothing acceptable in whatever is done by the Spanish authorities of the Antilles, and that, there is reason to believe, he will represent their acts in the most unfavourable colour possible."

I beg to assure your Lordship that I have no opinions, or feelings,

towards General Cañedo, but those in which I can with propriety indulge I have never misrepresented his Excellency's conduct, nor that of the Spanish officers of the Antilles; and that I am quite ready and anxious for any opportunity I may have of reporting to Her Majesty's Government their efforts to suppress the Slave Trade.

I must, however, be allowed to state to your Lordship, in my own defence, upon such grave charges as those which have been imagined against me, and given utterance to, in the official note of the Spanish Minister, that I have never, until just at present, been satisfied that the obligations of Spain, under the Treaties for the suppression of the Slave Trade, have been observed as they ought to have been, or that the Penal Law of Spain has been enforced to punish those who engaged in the detestable Traffic; but that, on the contrary, there were too many cases where slaves were introduced openly, and with impunity, by parties who could easily have been detected and punished, had the Spanish authorities pleased to do so. In short, my Lord, without feeling of any kind, excepting that of disgust and despair at the continuance, and ultimately, at the increase of the Slave Trade, I have but done my duty in reporting to Her Majesty's Government the numerous cases which have occurred during the eleven years I have had the honour to be Her Majesty's Consul-General in Cuba, being all that time under the firm belief that it depends upon the Captain-General, supported in that determination by the Government of Her Catholic Majesty, to put an end to the Traffic. I rejoice to see that there is now an undoubted disposition to carry out the surest means of doing so, which, as I have said in another part of this despatch, would be perfected by the registration of the slaves throughout the island, and a perseverance in the measures recently adopted by General Cañedo for seizing all the Bozal negroes imported wherever they may be found.

I am happy to acquaint your Lordship that his Excellency is following out his measures, and that some hundreds of Bozals have been brought in to the depôt within the last few days, besides which, the arrest and imprisonment of some persons of note, wealth, and estate, supposed to be charged with carrying on the Slave Trade, are proofs that General Cañedo is in earnest, and that he will be supported by the Government of Spain.

I have, &c.
(Signed) JOS. J. CRAWFORD.

No. 553.

Consul-General Crawford to the Earl of Clarendon.—(*Received July* 18.)

My Lord, *Havana, June* 27, 1853.

I HAVE the honour of laying before your Lordship the inclosed copy of a letter which I considered it my duty to address to the Captain-General of this island, in consequence of your Lordship's despatch of the 1st instant, the receipt of which I beg leave to acknowledge.

The inquiries which I have made so far have not been productive of any information relative to the parties alluded to in the despatch to which I have the honour of replying; but whenever M. Botelho or M. Abreu arrives, it is probable that I shall hear of them, and I am in hopes that General Cañedo may be induced to have them looked after, so that their engaging in the Slave Trade may be at once detected.

Don Antonio Augusto Botelho had been here for some time previous to the denouncement of the slaver brigantine "*Cora*," subject of the letters which on the 18th of April and 2nd of June last year I addressed to his Excellency the Captain-General. Soon after that date I learnt that Botelho had sailed for the coast of Africa, *viâ* the Cape Verde Islands.

I beg leave to lay before your Lordship copies of my letters to General Cañedo, referred to in the foregoing paragraph, which I now find were omitted to be transmitted at the time, and I have to explain that the

"*Cora*," having landed her cargo of slaves, was afterwards seized, and was ultimately sold under a decree of the Marine Court at San Juan de los Remedios, but as she was not broken up, she put to sea under the new name of the "*Casualidad*," was fallen in with and detained by Her Majesty's steam-sloop "Buzzard," and sent into this port for adjudication by the Mixed Court in April last, some of her original slave fittings and water casks in considerable numbers having been found on board her at the time she was boarded by Commander Dobbie.

M. Botelho consequently has his business pretty well arranged, and no doubt will be in full operation soon after his arrival upon this occasion.

M. Abreu is no doubt the same who was expected in this island last year, but I could not ascertain that either he or Don José Gonzalves Marveira, mentioned in my despatch of the 19th of May last year, had ever arrived.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 553.

Consul-General Crawford to the Captain-General of Cuba.

Havana, June 23, 1853.

I HAVE the honour of acquainting your Excellency that I have received a despatch from Her Majesty's Secretary of State for Foreign Affairs, dated the 1st instant, informing me that Don Antonio Augusto Botelho and Don Rodrigo José Abreu, two wealthy Brazilians, had gone from Brazil in order to establish themselves at this place (or probably elsewhere in this island) as slave-traders on a very large scale.

Don Antonio Augusto Botelho, one of the parties alluded to in the Earl of Clarendon's despatch, has already been in this island, and is the same who is mentioned in a communication which I did myself the honour of addressing to your Excellency on the 2nd of June last year; and I also adverted to that person's acts and connections in my previous communications of the 18th and 20th April, 1852, when he was acting for a Brazilian Company of slave-traders who had establishments at Trinidad, at Los Perros, on the north side, and in this city.

The same Botelho received a cargo of Bozal negroes in June 1852 by the brigantine "*Cora*," after which he left the island; and it now appears that he went to Brazil, whither, having made arrangements to carry on the Slave Trade on a large scale, he is now returning, accompanied with Don Rodrigo José Abreu, which information I hasten to communicate to your Excellency for such purposes as may be deemed expedient, in the fullest confidence that your Excellency will adopt the most efficacious measures for preventing the said Botelho and Abreu from carrying on the Slave Trade within your Excellency's Government.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 2 in No. 553.

Consul-General Crawford to the Captain-General of Cuba.

Havana, April 18, 1852.

I BEG leave to lay before your Excellency the copy of a letter which has been addressed to Her Majesty's Principal Secretary of State for Foreign Affairs by Her Majesty's Minister at the Court of Brazil, dated the 10th of January last, stating that several vessels had been sent from a port in this island in the month of October last, for the purpose of procuring slaves in Benguella, and that four vessels had completed successful voyages from the coast of Africa, having landed 2,100 slaves in this island; adding, that the speculator in these cargoes is a Portuguese named Antonio Augusto Botelho, who was driven out of Brazil for being engaged

in the Slave Trade, and that the said Botelho's agent, who received the slaves, is a Spanish resident at Havana, called Don Pedro Riberosa.

Her Majesty's Government having received information that the Brazilian slave-traders, in consequence of the active measures adopted and carried out with vigour and good faith by that Government, could not continue the Traffic to their own country, had resolved to carry it on with this island, I addressed a communication to that effect on the 31st of October last to your Excellency's predecessor, and the authorities on the south side of the island, acting upon the stringent orders of his Excellency, captured in the middle of the said month of October last, a Brazilian polacca, which no doubt had previously landed slaves on the coast near Santa Cruz, where she was fallen in with.

But it appears that the vigilance of the officers had not been effectual to prevent the introduction of the large number of Bozal negroes mentioned in Mr. Southern's letter to Viscount Palmerston, which the Portuguese Botelho sent to his agent Don Ramon Riberosa, residing in this city.

Experience has shown that the greatest cunning is practised by the slave-traders to evade detection, and that no expense is spared to effect this introduction of the miserable objects of their avarice here and at Porto Rico, for which purpose they have been known to make the most degrading propositions to the officers of Her Most Catholic Majesty, in the hope of being allowed to land their cargoes from the slave coast of Africa and the Brazils.

I would most respectfully represent to your Excellency, that the fulfilment of the purpose of the Treaties for the suppression of the Slave Trade devolve upon your Excellency. It depends entirely upon your Excellency to hinder the introduction of slaves into this island, and I beg to express my entire confidence and hope that the most energetic measures will be adopted for that purpose.

God preserve, &c. (Signed) JOS. T. CRAWFORD.

No. 554.

The Earl of Clarendon to Consul-General Crawford.

Sir, *Foreign Office, July* 28, 1853.

I HAVE received your despatch of the 25th ultimo, and I have to inform you that I have instructed Her Majesty's Chargé d'Affaires at Madrid to express to the Spanish Government the satisfaction with which Her Majesty's Government have received your statement that since the beginning of June there had been a manifest difference in the character of the measures adopted by the Government of Cuba in order to check the excessive increase of the Slave Trade.

And with reference to your reply to the observations made upon your conduct and opinions by General Lersundi in his letter to Lord Howden of the 7th of May last, I have to acquaint you that Her Majesty's Government are quite satisfied with the manner in which your onerous and painful duties have been performed.

I am, &c.
(Signed) CLARENDON.

No. 555.

The Earl of Clarendon to Consul-General Crawford.

Sir, *Foreign Office, August* 1, 1853.

WITH reference to your despatches of the 20th and 24th June, I have to acquaint you that Her Majesty's Government approve the letters which you addressed to the Captain-General of Cuba respecting the disembarkation of the four cargoes referred to in those despatches.

I am, &c.
(Signed) CLARENDON.

No. 556.

Consul-General Crawford to the Earl of Clarendon.—(*Received August* 1.)

My Lord, *Havana, July* 2, 1853.

I HAVE the honour of transmitting herewith translation of the answer which the Captain-General has at last thought proper to give to my letter of the 28th of May last, copy of which I did myself the honour of laying before your Lordship in mine of the same date, which letter I addressed to his Excellency in consequence of your Lordship's despatch dated the 9th of April, relative to the Jamaica negress Nancy's children at Santiago de Cuba.

Your Lordship will perceive that General Cañedo now refers Her Majesty's Government to that of Madrid, where, he says, it has been reported; and it will not escape the notice of your Lordship that all the time which will be necessary for the negotiation of this affair must be passed, by the unfortunate objects of the solicitude of Her Majesty's Government, in the state of slavery to which they are unjustly subjected in this island, which prolonged state of suffering would have been spared them had the Spanish authorities been pleased to come to a humane decision, without appealing to the Supreme Government.

Your Lordship's instructions upon this pressing subject will, no doubt, obtain the freedom of the deceased woman's family.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure in No. 556.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, June* 28, 1853.

HIS Excellency the Governor Captain-General received your Honour's official note of the 28th of May last, respecting the deceased negress Nancy and her children; and he desires me say, in answer, that this affair depends upon the resolution (decision) of Her Majesty's Government, to whom he has reported it, and to whom that of Her Britannic Majesty should apply, through the medium of their Representative in Madrid.

God preserve, &c.

(Signed) LORENZO DEL BUSTO,
Political Secretary.

No. 557.

Consul-General Crawford to the Earl of Clarendon.—(*Received August* 1.)

(Extract.) *Havana, July* 2, 1853.

I HASTEN to lay before your Lordship the inclosed translation of a letter from the Captain-General, in answer to the communication which, in obedience to the instruction which I had the honour of receiving in your Lordship's despatch of the 10th of April, I addressed to General Cañedo on the 25th of May last, "expressive of the regret felt by Her Majesty's Government at the decision which was taken by his Excellency in the cases of the Bahama negress Mary Anne Bethel, Mamerta, and her children," a copy of which communication I had the honour of submitting to your Lordship in my despatch dated the 28th of May.

Inclosure in No. 557.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, June* 28, 1853.

HIS Excellency the Governor Captain-General has informed himself of your Honour's official letter dated the 25th of May last, transmitting him the instructions which your Honour received from your Government, in consequence of the negress Mary Anne Bethel, and Mamerta the emancipada, having been sent away from this island. His Excellency, in consequence, orders me to say to you, that the Government of Her Majesty, his august Sovereign, being the medium for affairs of this nature, he will much regret to see himself under the disagreeable necessity of returning the originals of your official letters, if your Honour persists in addressing yourself to his authority with similar analogous writings.

God preserve, &c.

(Signed) LORENZO DEL BUSTO,
Political Secretary.

No. 558.

Consul-General Crawford to the Earl of Clarendon.—(*Received August* 1.)

My Lord, *Havana, July* 2, 1853.

I HAVE the honour of transmitting herewith to your Lordship a translation of the answer I have received from the Captain-General to the letter which I addressed to his Excellency on the 23rd ultimo, relative to the Spanish brig "*Paquete Canario*," subject of your Lordship's despatch of the 10th of May last.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure in No. 558.

The Secretary to the Captain-General of Cuba to Consul General-Crawford.

(Translation.) *Havana, June* 28, 1853.

HIS Excellency the Governor Captain-General received your Honour's letter of the 23rd current, informing him that the "*Paquete Canario*" may very soon arrive at some port or place of this island from Monte Video and England, for the purpose of fitting out for the coast of Africa, in search of negroes. His Excellency, in view thereof, desires me to say to your Honour that he will avail of said information for what may correspond in consequence.

God preserve, &c.

(Signed) LORENZO DEL BUSTO,
Political Secretary.

No. 559.

Consul-General Crawford to the Earl of Clarendon.—(*Received August* 1.)

My Lord, *Havana, July* 2, 1853.

I HAVE the honour of laying before your Lordship General Cañedo's letter (in translation) dated the 28th ultimo, in acknowledgment of a communication which I addressed to his Excellency on the 23rd, relative to the American barque "*Jasper*," subject of your Lordship's despatch of the 20th of May last.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure in No. 559.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, June* 28, 1853.

HIS Excellency the Governor Captain-General has received your Honour's letter of the 23rd current, and orders me to answer that he is duly informed of the information given with reference to the American barque "*Jasper*," which your Honour infers may have been the vessel which landed Bozals at San Juan de los Remedios.

God preserve, &c.

(Signed) LORENZO DEL BUSTO,
Political Secretary.

No. 560.

Consul-General Crawford to the Earl of Clarendon.—(*Received August* 1.)

My Lord, *Havana, July* 4, 1853.

I HAVE the honour of transmitting to your Lordship a translation of a letter from the Captain-General of Cuba, in acknowledgment of a communication which I addressed to his Excellency, respecting the Brazilian slave-traders Don Antonio Augusto Botelho and Don Rodrigo José Abreu, subject of your Lordship's despatch of the 1st ultimo.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure in No. 560.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

anslation.) *Havana, June* 27, 1853.

HIS Excellency the Governor Captain-Gen al received your Honour's official letter of the 23rd instant, acquainting him that the Portuguese Don Antonio Augusto Botelho and Don Rodrigo José Abreu, Brazilian merchants, had left their country with the idea of establishing themselves in this capital, or some other place in the island, as dealers in negroes upon a great scale. His Excellency in consequence directs me to say to you in answer that he has made note of and will avail himself opportunely of said information.

God preserve, &c.

(Signed) LORENZO DEL BUSTO,
Political Secretary.

No. 561.

Consul-General Crawford to the Earl of Clarendon.—(*Received August* 1.)

(Extract.) *Havana, July* 4, 1853.

IT is again my disagreeable duty to inform your Lordship that another cargo of slaves has been landed at the Isle of Pines, consisting of 600.

I have the honour of laying before your Lordship a copy of my letter to the Captain-General, dated the 30th ultimo, denouncing this violation of the Treaty, and of his Excellency's answer of the 1st instant, the discourteous nature of which I certainly do not consider has been provoked by the language or other circumstances of my letter.

I hope that your Lordship will permit me to represent that my position is exceedingly disagreeable, and to express the hope that in carrying out the instructions of Her Majesty's Government, I may be upheld and supported by your Lordship.

British interference, and that only, keeps the Slave Trade within the bounds even of its present extensive scale of operation. My duties, consequently, are unceasing for its suppression; and during the period (since April 1842) that I have had the honour of holding this appointment, I have experienced nothing but reluctance on the part of those who have filled the office of Captain-General, for although one or two of them may have taken measures to check the importations of Bozal negroes, the opinions of every one of them have been, that Spain ought never to have entered into the engagements she did with Great Britain for the suppression of the Slave Trade; moreover, the policy of Captain-General Tacon, who assumed that the importation of slaves was necessary as a means for binding the inhabitants to the Government, has been adopted by the Government of the mother-country, and has been acted upon more or less by all his successors in the Government of Cuba, so that, like the present Captain-General, they have all come out impressed with the necessity of keeping up, at least, the number of slaves on the island.

They, therefore, have found our interference for the observance of the existing Treaties most irksome, and they have assumed in their official intercourse with me, Her Majesty's Government's acknowledged agent for the observance of those Treaties, a tone and style in their official correspondence, which, although often complained of, they still continue, and which but ill accords with the laxity of their practice in the fulfilment of their solemn engagements.

I have found that they constantly have limited my interference to the simple denouncement of the fact. They have never furnished me, for Her Majesty's Government, with any information whatever, such as we had a right to expect in every instance; and whenever I have pressed beyond the mere denouncement of the violations as they occurred, I have been met with the most discourteous refusals, and have been told that I am not authorized to address any observations whatever to their Excellencies relative to the constantly-repeated infractions of the (ill-observed) Treaties.

There is, my Lord, in this policy a well-devised means of, in the first instance, preventing all investigation on the spot; and, in the second place, subjecting Her Majesty's Government to receive the explanations which are sent by these authorities to the Spanish Government, instead of at once arriving at the truth, without the unavoidable delay of several months attending the transmission of the Captain-General's reports and communication of the results through Her Majesty's Minister at Madrid, by which time the case has been forgotten here, and all proceedings which might have become necessary thereon, too late to be in any way effectual.

In this way, kept in ignorance of whatever measures the Captains-General may have adopted for carrying out the suppression of the Slave Trade, we are in a great measure left to our conjectures as to how such measures are carried into effect. We see that the importations of slaves continue; that the Slave Trade has within the last year been very greatly on the increase; that it is now most flourishing; and that whatever, or wherever expeditions present themselves on the coast of Cuba, the slaves are landed; they are introduced into the island; and whether they are seized afterwards by the Spanish authorities or not, the fact is undeniable. They are introduced without opposition. The ship is either destroyed by the crew at the place of landing, or departs to fit out again for the coast of Africa, to bring over another cargo of the miserable victims of avarice to these shores.

Why is it, I would ask, that the whole expedition is not laid hold of by the Spanish officers? Why is it, that even if the negroes are suddenly put on shore, they are not all seized? and, Why is it, that the vessels bringing such negroes are not captured either before or after landing their cargoes? Let the Captains-General answer.

The vigilance of the Spanish officers and authorities of the Island of

Cuba, is matter of history. The arrival of both the expeditions under Narciso Lopez, was known at this capital from a distance (in both instances) of about seventy miles, in an incredibly short time. The largest of those expeditions did not consist of 500 men, and yet 1,000 or more negroes may come to and land, almost anywhere, as we have seen within the last twelve months; and after their landing, may be driven to long distances through the country in extensive gangs, without interruption?

I humbly submit to your Lordship, that such a state of things could not exist without connivance of the authorities; and I certainly may not be considered too bold in asserting that it depends upon the chief authority of the island to put an end to such abuses. Whenever he does so in good earnest, obliging the local authorities to do their duty, by seizing all negroes landed, by capturing the vessels and boats, and arresting the masters, crews, agents, and all persons concerned with such expeditions, the Slave Trade will be suppressed. Until the Captains-General do so act energetically and in earnest, the Slave Trade will be carried on as it is, and always has been, notwithstanding the existing Treaties.

At distant points and places, it is that some of the violations take place; and from such places it is difficult for me to obtain correct information.

At the same time I would humbly bring under your Lordship's notice, the tone and style of the Captain-General's official answers to my communications. His Excellency has complained of want of personal respect, on my part, of which I have never been guilty, and regret that he should be under such a misconception; but as I do not feel that I ought to be subjected to a repetition of such reproof as General Cañedo has indulged in, and expressed by the Secretary under his Excellency's authority, in the inclosure subject of this despatch, I must claim your Lordship's high protection; and I trust that some understanding will be come to with the Spanish Government, warranting me to ask for all reasonable explanation and information as to every infraction of the Treaty for suppression of the Slave Trade, and which Her Majesty's Government has a right to expect from these authorities.

Inclosure 1 in No. 561.

Consul-General Crawford to the Captain-General of Cuba.

Havana, June 30, 1853.

I HAVE received information that a brig slaver, having on board 600 Bozals, was run ashore some few days ago on the Isle of Pines; that most of these negroes, who were taken off the brig by two schooners belonging to the coast in that district, have been sold, but that some 150 of them were not disposed of, and were on the Isle of Pines the day before yesterday. This expedition is no doubt one of the two which I announced to your Excellency in my communication of the 2nd instant.

I have also received information that two more cargoes of slaves are expected almost immediately at or near to Trinidad.

I hasten to give to your Excellency this information in the assurance that the same inflexible determination which has been displayed by your Excellency to put an end to the detestable Traffic will be pursued to detect and punish the authors of this violation of the law, at the Isle of Pines, and that your Excellency's most efficacious orders will be issued in advance of the other expeditions expected at Trinidad.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 2 in No. 561.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, July* 1, 1853.

HIS Excellency has informed himself of your Honour's letter of yesterday's date, in which you give him diverse information respecting the disembarkation of Bozal negroes which you state had been effected recently at the Isle of Pines, as well as those which you have as to the possibility of other two landings taking place within a short time about Trinidad. His Excellency appreciates these informations, although they are not new to him, as regards the first of said particulars, and he will appreciate all others which conduce to impede this Traffic; but at the same time he wishes me to say to your Honour in answer, as I do, that for the last time he warns you to avoid in all your letters of this kind, either excitations or qualifications of any nature whatever, because his Excellency has no necessity for them, nor can he allow them from a person who, like your Honour, has no authority to make them.

God preserve, &c.

(Signed) LORENZO DEL BUSTO,
Political Secretary.

No. 562.

Consul-General Crawford to the Earl of Clarendon.—(*Received August* 1.)

My Lord, *Havana, July* 4, 1853.

IT having come to my knowledge that three of the sailors who belonged to the ship which landed 280 Bozal negroes at Bailen, which circumstance I reported to your Lordship in my despatch dated the 4th ultimo, had proceeded in a launch towards Cape San Antonio, and were there captured and sent to this place, at the disposition of the Captain-General; I deemed it my duty to apprise his Excellency thereof, so as that he should, if he thought proper, avail himself of their evidence in the investigation which I understand is still going on respecting that violation of the law and of the Treaty.

I have the honour of laying before your Lordship a copy of my letter to General Cañedo, and also a translation of his Excellency's letter acknowledging the receipt of the information I have alluded to.

I am now enabled to report to your Lordship, that the men who arrived here on the 2nd instant, are now prisoners in the common gaol, and that they are Americans, who belonged to the ship which landed the negroes from Africa at Bailen. That ship was the "*Jasper*," in which they sailed from New York for the coast of Africa in December last; she was there transferred to the Spanish owners, and took in the Bozal negroes which were brought to the Ensenada de Cortez, where the ship was burnt, after the slaves had been landed. We shall see whether anything is done by means of these witnesses to convict the parties concerned in this expedition.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 562.

Consul-General Crawford to the Captain-General of Cuba.

Most Excellent Sir, *Havana, June* 30, 1853.

CONSIDERING that it is my duty to aid and assist your Excellency's measures for the detection and punishment of all violators of the law and of the Treaties for abolition of the Slave Trade, and knowing the active

endeavours of your Excellency to ascertain the particulars of the case which occurred a few weeks ago at Bailen, Ensenada de Cortez, and also being aware of the difficulties which your Excellency experiences in almost every instance of investigation of the acts of the slave-traders, and that perhaps the good intentions of your Excellency have been thwarted in the district of Pinar del Rio, with more than the usual cunning and combination of all concerned in the affair of Bailen; I have to acquaint your Excellency that three of the sailors (Americans) who belonged to the ship from which the slaves were landed, deserted from said ship, took a boat from the hacienda Grifa, in which they went to Cape San Antonio, where they were captured by Don George Garcia and Don Francisco Pitaluga, matriculados of the Spanish merchant marine, and by whom they were delivered to Her Catholic Majesty's schooner "Habanera," and on board her they have most probably been brought to this port of Havana, to be placed at your Excellency's disposition, so that if these American sailors are here, their evidence will be available in discovery of the truth.

I understand that the ship which was burnt off Bailen, was aground on the shoal called the Viril, where the bottom of said vessel, which was consumed to the water's edge, may still be found, if your Excellency will order the Golfo de Cortez to be examined. I regret that I have not at this moment one of Her Majesty's ships, or I would have sent her on this service to have discovered the hulk of the burnt slaver where it now lays.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 2 in No. 562.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, July* 1, 1853.

HIS Excellency the Governor Captain-General received your Honour's official letter of yesterday, and orders me to say to you in answer, as I do, that he has informed himself of the particulars which your Honour makes known to him, as to the negroes at Bailen and the capture of three American sailors belonging to the same, which was effected at Cape San Antonio.

God preserve, &c.

(Signed) LORENZO DEL BUSTO,
Political Secretary.

No. 563.

Consul-General Crawford to the Earl of Clarendon.—(Received August 1.)

My Lord, *Havana, July* 5, 1853.

I HAVE given full consideration to that part of his Excellency the Spanish Minister's note, dated the 7th of May, transmitted to your Lordship by Lord Howden in his despatch of the 12th, copy of which formed the inclosure of your Lordship's despatch of the 24th of May last, which I had the honour of acknowledging to your Lordship in my despatch of the 25th ultimo, where General Lersundi takes occasion to adopt and state to Lord Howden the unfounded aspersions of my official character which it appears have been written by General Cañedo to the Spanish Government, accusing me of making "false reports in every case," owing to which General Lersundi says, that "General Cañedo is apprehensive and regrets that, notwithstanding all his efforts, Her Majesty's Government never can appreciate the sincerity of his conduct," and goes on to state that this is "because of my personal opinions," that "I find nothing

acceptable, whatever is done by the Spanish authorities of the Antilles," and " will represent their acts in the most unfavourable colour possible."

I have given no reason for this aspersion of my character by General Cañedo, which has been adopted by the Spanish Government in General Lersundi's note. My representations of the acts of the Spanish authorities are all before your Lordship; and as they most certainly do not warrant the charges assumed in the official communications of the Spaniards, I beg leave to give to them the most positive contradiction in this despatch, feeling that I ought not to allow such aspersions to take root by passing them by unnoticed; and I most respectfully submit to your Lordship that Her Majesty's Minister at Madrid should be authorized to undeceive and set right the Spanish Government as to the reports which I transmit officially with regard to the acts of their authorities in the Antilles.

The statements which I find it my duty from time to time to lay before Her Majesty's Government are all of them thoroughly well founded; they may differ perhaps materially from the representations transmitted by these authorities to the Spanish Government, and they are, I have no doubt, not at all agreeable to be adduced in the complaints of Her Majesty's Government, but they are not the less true, and devoid of all misrepresentation.

One instance will suffice to prove the exactness of what I have said in the foregoing paragraph, and it is this:

That in the observations which were made upon the list of slaves landed in Cuba during the year 1852, it was sought by the Count Alcoy to deny that any were disembarked at Ortigosa. I have the honour of laying before your Lordship a copy of an official edict, cut from the " Diario" newspaper, calling upon the authors of a violation of the law committed at Ortigosa to present themselves in the Court of the Royal Audiencia to answer for the landing of 700 Bozal negroes, effected at that place on the 18th of December. As this edict is dated the 7th ultimo, it is needless to add that the parties have not been found. My denouncement of this violation stated the number at 600, but it appears now officially that there were 700. I have to crave your Lordship's indulgence for the inaccuracy, but it proves that there was no exaggeration; and with this I beg leave most confidently to place my vindication in your Lordship's hands.

I have, &c.

(Signed) JOS. T. CRAWFORD.

No. 564.

Consul-General Crawford to the Earl of Clarendon.—(*Received August* 1.)

My Lord, *Havana, July* 9, 1853.

BY an American schooner from New Orleans, which arrived here yesterday, I received a newspaper, the " Daily Picayune," of the 29th ultimo, from which I have cut the slip which I have the honour of transmitting herewith to your Lordship, containing a letter from Yucatan, relative to the " *Lady Suffolk*," which vessel, under Mexican colours, and the name of the " *Mary Ann*," has, it appears, arrived at Campeachy, or rather at Laguna de Terminos, where she was recognised by a description of her which was published, it seems, some time ago in the " New York Herald."

It also appears, according to a short note which I received this morning from Mr. Consul Giffard, dated Vera Cruz, the 5th instant, that Her Majesty's brig " Daring" had gone to Laguna to look after the slaver " *Lady Suffolk*" (a) " *Mariana*," but that she had returned to Vera Cruz without the commander's having been able to examine the suspicious vessel alluded to, not having been allowed to land because of the prevalence of cholera at Vera Cruz, from whence the " Daring" proceeded.

I shall not omit to address the Captain-General respecting the affair, so as that it may lead to an investigation of the origin of the Mexican papers under which this slaver or pirate has been navigating.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure in No. 564.

Extract from the "Daily Picayune" of June 29, 1853.

Laguna de Terminos, Yucatan, June 14.

THE curiosity of the inhabitants of our little place was not a little excited on the 30th ultimo, by the arrival at our port of a finely-modelled, apparently new, clipper-built, full-rigged ship, painted all black. She came in under Mexican colours, which was, as you may imagine, another matter of surprise to our people.

As soon as the Captain of the Port's boat came ashore from the customary visit, the vessel was said to be the Mexican ship "*Mariana*," Captain Juan Gutierrez, of the burthen of about 500 tons American, though she entered here only 410 tons Mexican measurement. She came from Cienfuegos (Cuba), had eight days passage, a crew of about thirty men, and about 300 pipes of water as ballast. She came consigned to a very respectable house here, and brought a letter of credit to a considerable amount.

It was soon suspected that she had been on a slaving expedition, and after some of her crew (who were mostly all Spaniards) had been discharged, some of them publicly gave out that the vessel had been on the coast of Mozambique (East Africa), where she had taken in above 1,300 negroes, 200 of whom had died on the passage, and the remaining 1,100 had been discharged at or near Cienfuegos a short time before the vessel's arrival here.

She had been chased by an English cruizer off the Cape of Good Hope. The vessel is now under seizure of this custom-house for some want of formality in her ships' papers. The crew have almost all been paid off, and most of them have already left for Campeachy and other points.

The vessel's figure-head represents the goddess Fame, with wings on her back, and a speaking trumpet in one hand, a wreath in the other.

She answers the description given of the "*Lady Suffolk*" in the "New York Herald" of the 6th of December last, and is no doubt the same vessel under another name. She was built by Messrs. Adams, Gray and Son, and, some six months' ago, taken down to Mariel and Bahia Honda by Mr. Gray himself. She will probably remain here at least one month more. From Cienfuegos she came here with a sea-letter given by the Mexican Consul there.

The foregoing are the simple reports current here, though you may meet with more exaggerated accounts referring to the subject.

No. 565.

Consul-General Crawford to the Earl of Clarendon.—(*Received August* 22.)

My Lord, *Havana, August* 2, 1853.

IN my despatch dated the 4th ultimo, I did myself the honour of reporting to your Lordship that three American sailors had been brought to town, and lodged in the public gaol here, who were on board of the slaver "*Jasper*," which landed a cargo of Bozal negroes about three months ago at Bailen, in the Ensenada de Cortez, district of Pinar del Rio.

I am enabled to lay before your Lordship a printed copy of these men's statement, which has appeared in the American papers, and which

I have ascertained is really what they have declared to the United States' Consul.

In my despatch dated the 4th of June last, I first did myself the honour of bringing this case under your Lordship's notice; and I furnished some details with regard to how the affair had been managed, and the intentions of the Captain-General had been thwarted by the connivance of the Spanish local authorities, and their combinations with the slave-traders. But what will your Lordship say when I now assert, upon the most undoubted authority, that a second, a third—even a fourth—Commission, has returned from Pinar del Rio, and that there has not been proof of any Bozal negroes having been landed in that district! Nor could these Commissioners discover the burnt hull of the slave vessel, which everybody in the district knows perfectly well is lying on the shoal called the Viril, where the "*Jasper*" grounded, from whence she could not be got afloat, and where she was set on fire and burnt to the water's edge in sight of the people from the shore.

The appearance, therefore, of the three American sailors, was as serious as it was embarrassing; but neither here does the matter stop.

About three weeks ago, I received intelligence that there were six more of the "*Jasper's*" crew hidden at one of the cays in the Ensenada de Cortez, and that, as the slave-traders could not get them away, they were in great danger, either of dying by starvation, if the parties discontinued sending them their provisions, or of being assassinated, in order to get rid at the same time of their maintenance and of their evidence should they be discovered by the authorities.

Three of these, namely, Charles Robinson, William Hersey, and John Radcliffe, being British subjects, I lost no time in addressing his Excellency the Captain-General, requesting him to cause them to be rescued from their perilous situation.

The other three being Americans, I wrote to the United States' Consul, acquainting him of the circumstance, so as that, if he thought proper, he might apply to the Captain-General on their behalf, or perhaps induce the commander of the American sloop-of-war "Albany," then in this harbour, to proceed to their rescue.

I beg leave to lay before your Lordship copies of this correspondence, in which General Cañedo assures me, on the 16th, through the Colonial Secretary, that he had given the necessary orders for the safety of the three British subjects; but as I have not heard the result, I thought it my duty again to urge this important affair, and have accordingly again brought the subject under his Excellency's notice, the more so, as I have heard that a trick has been played with regard to the measures dictated for the relief of these poor men, the Captain-General's order having been intercepted in the district where the men are, and its proper execution being therefore rendered extremely doubtful.

Your Lordship will however observe, in my following despatch of the same date, that an officer, who was commissioned to Cayo Cortez upon other business, has discovered the rest of the hull of the "*Jasper,*" and I have great hopes that this will lead to that of the whole history of this most extraordinary transaction, which, if fully investigated, should lead to the dismissal of a great number of the officials.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 565.

Extract from the "New York Herald" of July 18, 1853.

ARRIVAL OF THE "BLACK WARRIOR."—The news which we to-day publish from Cuba and Mexico will be found to be of a very important and interesting nature. It comprises the statement of the three American sailors now imprisoned in the Moro under the charge of having formed part of the crew of the slaving barque "*Jasper,*" which, after landing its cargo on the island, was set on fire. The statement is addressed to the

Secretary of State, who, we have no doubt, will take proper measures to secure justice to these our citizens. Parks, one of those whose names are subscribed to the document, is from Palmyra, Wayne county, in this State. Atkins is a native of this city, and Freeborn is a native of Philadelphia. It is impossible to say what has become of the other Americans who were among the crew, namely, William Radcliff, William Hussey, second mate, the boy Coles, and the cook, a black man, named Robinson. Our Havana correspondent suggests that most probably the first three were murdered to be got rid of, and that the negro was sold among the slaves. This is by no means a violent or irrational conclusion. The shipping-master with whom these sailors shipped in this city were Messrs. Clarke and Dean. The captain is now, we understand, in New York or Brooklyn, and might, perhaps, corroborate in some measure the truth of the sailors' story. The slaver "*Lady Suffolk*" is at length in safe hands. We published a letter in last Monday's "Herald," giving the whole particulars of the seizure of this notorious vessel, and now our Cuban intelligence comes to verify our previous announcement. In addition to the particulars of Mexican and Havana news, we give the translation of an article from the "Diario de la Marina," in which wholesome counsel is given to the slave-holding States of the South. The whole of what we give from Mexico and Cuba to-day will be found particularly interesting.

THE SLAVER "LADY SUFFOLK."—STATEMENT OF THE THREE AMERICAN SAILORS OF THE "JASPER."—The following appeal and statement of the three young American sailors now in custody in Havana, under the charge of having been engaged in a slaving expedition, has been sent to us by them for publication. It is directed to the Honourable Mr. Marcy, Secretary of State.

Sir, *Havana Prison, July* 8, 1853.

We wish to give you a true and brief account concerning by what means we became placed in our present situation, hoping that when you have the full particulars you can do something for us. We left New York on the 12th of December last, in the barque "*Jasper*," bound, as we were told in the shipping-office, to Sierra Leone. Before leaving New York, as we were getting under weigh, we took on board two gentlemen, as passengers for the above-named place. There were also on board at the time two men who, we understood, or were made to believe at the time, to be the supercargo and his uncle. We were at sea two days or more before we knew them to be Spanish; still we were altogether ignorant of any deceit being practised upon us. Everything went well until we arrived at the coast of Africa, at a place called Elmina. Some of the crew asked the mate the reason of our not going to the place they told us in New York; and he said that, as far as he could understand, the supercargo had changed his mind, and intended to go farther down the coast; so we thought nothing of it. The supercargo went on shore at that place, and the next day we discharged some of her cargo, which was rum. In two or three days we got under weigh, and went farther down, to Cape Coast, at which place the captain and mate quarrelled, which ended in the mate's being discharged at that place. The second mate then did the mate's duty, and one of the men forward was picked out for second mate. We took some elephants' tusks on board at Cape Coast, and 100 bales of tobacco. We got under weigh at that place, and the captain seemed to be very kind to us all at once, since the mate had left. The men used to grumble at the living we had. The captain congratulated himself and us for having removed the cause of the discontent among the crew. He said that he had been going to sea seventeen years, and not in one instance had the crew to get discontented. He said that we were able, good men, and that he intended to set her rigging up, and get her cabin fixed up before she arrived at New York again. All this was done to blind us as to their intentions, but we did not once think of such a thing. The next place we went was called Littlemina; the supercargo went on shore at this place, and was ashore eight days. In the meantime an English steam-frigate boarded us, the captain overhauled us, and went away.

Our captain told us that he had bargained with the captain of the frigate for some white duck for clothes for us, as we were short of clothes; and he said that in three or four days we were to go down to where she was or would be at anchor. We took on board a great many ducks, and several hogs and kids, and all the water-casks were filled. We asked the reason they filled them all at once, and they said that farther down the coast water was brackish and not fit to drink.

The next day the supercargo came on board, and we got under weigh to go down to where the English frigate lay. We were under sail two days, when we dropped into a place we do not know the name of; but we understood it was to take the supercargo's uncle on board. We discharged there four or five pipes of rum, and the tobacco that we took farther up the coast. This place was Spanish, for they hoisted the Spanish flag. About 10 o'clock we put the hatches on, as they said there was no more rum going ashore that day. About 11 o'clock we saw about thirty or forty canoes shove off from the shore. We thought they were coming for cargo. We were glad to see them coming, as we thought the faster the cargo was discharged the sooner we would get to the United States again. The man that was acting second mate asked if the men should take the hatches off, and get up some more rum, as the canoes were coming; and the supercargo said no, they were not coming to the ship, they were going down the coast to catch fish he supposed. At 12 o'clock, as soon as the crew had got through their dinner, the captain gave orders to get the ship under weigh. We hove the anchor up. The second mate asked the captain if they should cast the anchor, and he said no, they would be at anchor before night, and it would not be worth while. The supercargo had the helm. We run, as we supposed, about twenty or thirty miles down the coast, when we saw all these canoes again, hauled up on the beach; and as soon as we came in close enough, they hauled their canoes down into the water. We were at a loss what to think of it. We asked one of the Spaniards what they were going to do, and he said he did not know. We had let go the anchor, and were clewing up the sails, when the captain called the second mate into the cabin. He was not in the cabin long when the cabin-boy came forward and said there was something up. I heard the captain tell the second mate he had sold sold the ship, and was going to pay all the men off, with three months' extra pay. By this time the negroes were coming on board; and before we were all paid they had the cabin nearly full of negroes. We were altogether taken unawares. We knew not what to do, or what was the best to do. The captain said, "Be men; —— it, don't act like children." There were four Spaniards or Portuguese that came off in one of the canoes that were taking the negroes on board while we were being paid off. We told the captain we wished to go on shore; and he told us there was not an American or English Consul within 500 miles of us, and if we went on shore he could not protect us. He said that it would cost him 500 dollars to get to the States. At the time he was paying us off, he said to us, "You see what is up—I have sold my vessel—I have made a losing voyage; and I have to get home the best way I can—they are bound to take you home as passengers." One of the men called to a canoe that had discharged their negroes, and the Spanish captain motioned for the canoe not to come alongside, so we had no possibility of going ashore had we attempted to. The Spanish captain, or the supercargo, told us he was now captain of the vessel, and we might as well go to working the vessel. There were seven Spaniards, all told; and they had all the fire-arms in their possession; they were also armed with knives; and we had no other resource than to go to working the vessel. There were 350 negroes on board. We were compelled to do duty at the point of their knives. The captain told us he would pay us 50 dollars a-month when we got to Cuba.

Continuation of the Sailors' Story.

The same night the negroes came on board the cable was slipped and we stood out to sea. The greater part of the time was spent in

getting things fixed for the negroes; the galley-stove was altered, and the partition that separates the cabin from the store-rooms each side were cut away so that the negroes (women) could occupy the whole space. Twice we refused to work the ship, and twice we were forced, at the point of their knives, to go to work again. When we came close to the coast of Cuba, they began to be more civil to us. We made the land to the westward of Jamaica, on the south side of Cuba. We were fifty-six days on the passage. We saw several sail of vessels as we neared the West Indies, but always kept away from them. The second mate was more severe on us than the rest of them; he always carried a long knife in his belt; in one instance he caught one of the men by the throat and would have stabbed him had not the man clinched him; the rest of the crew hearing the noise, they ran to his assistance; in the meantime he dropped his knife, which one of the men picked up and gave to him; the man that picked up the knife was a Portuguese. Radcliff struck the Portuguese with his fist, and just at that time the captain and mate came forward with their pistols cocked, and forced us to return to our duty.

Five days after that we made the land, and run in as close as we could, and let go the anchor; a man came off in a boat and told the captain he was at the wrong place. We got under weigh, and stood along the land to the westward for about twelve miles, and let go the anchor again; the mate went ashore and was informed that was not the place. We made sail again, and stood along till daylight, when the vessel run ashore, about one mile from the beach. The captain ordered the boats to be launched, and by that time three or four boats came off from the shore; they landed the negroes in about one hour. We then tried to get the vessel off, but could not. The next day we were occupied in getting her off, but to no purpose; we set down topgallant yards and masts; then the mate and a couple of men went down into the hold and started some of the water-casks; then we pumped her out and let her stand a little. At dark there was about twelve people from the shore beside a pilot. At high water she swung off, and she ran about 300 yards, when she run aground again; they then let down her larboard-bow anchor to the stern of a large sailboat, but they had not pulled but about ten feet when they let go of the anchor. We do not know whether it was done on purpose or not, but we were told to get our clothes and go ashore, as they were going to set the ship on fire. We got into the longboat, the Portuguese also, and the mate, and we went along the coast about twelve or fifteen miles; a large Spanish sailboat towed us to the place; there were two or three fishing-huts on the beach, which were all we could see. We stopped here about ten days, when we were told that a schooner would take us to Havana; there was no schooner came for us. At this time Radcliff was nearly dead with the dysentery, and William Hussy, that had shipped as second mate, could scarcely walk with a swelled leg; he is an old man, of sixty or seventy years of age. We proposed to Robinson and the rest to take the longboat, but Robinson said he would not leave Radcliff while he was so sick. We were fifteen days on shore; when on that night we took the longboat, and put water into her, and a small bag of corn, and some honey in a jar; the boy and the cook were afraid the longboat would stand no sea, and they did not know on what part of the island they were. We bid the rest of the men good-bye and we left them; we told them we expected to be picked up before we were out long. We were two days from the place when we put into the land for water and provisions. We went on shore; we asked the name of the place; they told us it was Cape Antonio. They gave us some potatoes, and while we were getting some water they sent for the soldiers, who asked us where we were from; and we told them from Jamaica. They asked us where we intended to go; we told them to Key West or to the American Consul in Havana. They then sent two soldiers and a pilot in the boat, and conveyed us on board the Spanish man-of-war schooner "Habanera," where they questioned us again as to where we were from. We were afraid to tell them the truth for fear they would put us in prison, and never let any one know anything about us; and we told them that we came from Jamaica, and that we had

run away from a vessel at that place; two of us told that we left the "Duke of Wellington," the other told he left the "Oriole." The commandant ordered us to be put in irons, and a sentry placed over us. We asked if they would not present us to the American Consul; they said yes, but it was necessary to wait for orders from Havana. They kept us on board thirty-five days, when we were transferred to Havana in a small schooner, and put on board of the steamer "Ulloa," where they kept us eight days. From thence we were removed to where we now are.

We have had no opportunity to write before; we were put into the gaol. We have written nothing but the plain truth, which, if the rest of the crew can be found, they will testify to the same. We told some of the men that if we were picked up, or got to any place where there was an American Consul, we would tell him as to their whereabouts, and how they came there. We do not know what became of the rest of the crew after we left them; there was no prospect of getting away from the island. When we left, when we bid Radcliff good-bye, he said he would not live over two or three days; he was then so weak he could not walk. We were deceived and drawed blindly into a trade which we neither gave our heart nor hand to.

Yours with respect,

(Signed) WILLIAM FREEBURN.
WILLIAM ATKINS.
HARVEY C. PARKS.

To Gov. Marcy, Secretary of State, Washington.

Inclosure 2 in No. 565.

Consul-General Crawford to Consul Robertson.

Sir, *Havana, July* 13, 1853.

I HASTEN to inclose to you the copy of a letter which I have this day addressed to his Excellency the Captain-General of this island, relative to three British subjects and three American citizens, who were sailors on board the barque "*Jasper*" when she sailed from New York in December last, for the coast of Africa, under the belief that she was bound upon a lawful voyage. You are already aware, I believe, that said barque "*Jasper*" was transferred to Spanish slavers at the coast of Africa, and that the crew who embarked in her at New York had no alternative but to remain on board and come on in the barque, although they saw she had become a slaver.

It now appears that, besides the three who are in the prison here, there are six more, as I have said above, who are kept in hidings at Cayo Cortez, Ensenada de Cortez, near Bailen on the south side of this island. At present they are provided for by the slave-traders down there, but they are exposed to starvation whenever it pleases these worthies to discontinue sending them supplies, and they have no means of getting away.

I have stated to his Excellency the regret which I feel at not having here a British man-of-war to send to the rescue of these men, and I hope that, as a ship-of-war of the United States has come in to-day, it may be consistent with the commanding officer's other duties, to proceed to the Ensenada de Cortez as soon as possible.

I would suggest the expediency, if it be possible, that one or all the American sailors who are in prison belonging to the "*Jasper*," should be allowed to go in the United States' ship, if she proceeds upon this important service, in order to point out the place where they left their companions, so as to make sure of their being relieved.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 3 in No. 565.

Consul-General Crawford to the Captain-General of Cuba.

(Extract.) *Havana, July* 13, 1853.

BESIDES the three American sailors who were detained at Cape San Antonio, and sent here by the commander of Her Catholic Majesty's schooner "Habanera," I understand there are six others who belonged to the slaver, which was formerly the American barque "*Jasper*," that landed her cargo of Bozal negroes near Bailen on the south coast some weeks ago.

Amongst these six men who came in said slaver, there are three British subjects, viz., Charles Robinson, a native of Canada, William Hersey, a native of Nova Scotia, and John Radcliffe, an Englishman.

The other three, viz., John William Leo, George Hunt, a coloured man, and William Hussey, are Americans belonging to the United States.

These six men were alive at Cayo Cortez on the 6th instant, and were in a state of the greatest desperation, as I am informed; in the first place, because they had been deceived by the American master of the "*Jasper*," whose name was Edmund Townsend, inasmuch as that they embarked at New York under the belief that they were going to Africa upon a lawful voyage, and when they found that the said master transferred the ship to become a slaver, and they wished to leave her, they were told that it would be impossible for them to go on shore on the coast of Africa, as they would either be starved or be killed by the natives; and in the second place, they were deceived by the slaver captain, who promised them that as soon as they arrived at the coast of Cuba they would be provided with a conveyance either to Havana or the United States, which promise has not been performed. They are consequently apprehensive for their personal safety, and it becomes a matter of humanity to have them placed in security, since, at present, they are existing without the cognizance of the constituted authorities, are provided for by the parties who were concerned in the violation of the law, and may be left to starve where they are concealed, whenever said parties please to send them provisions no longer.

Inclosure 4 in No. 565.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, July* 16, 1853.

HIS Excellency has received your Honour's official letter of the 13th current, acquainting him that there are six individuals, Englishmen and Americans, at Cayo Cortez, belonging to the crew of the vessel which effected a landing of Bozals at Bailen, and which was afterwards burnt in the Ensenada de Cortez. In answer, he orders me to say to your Honour that he has made note thereof, and has already given the convenient orders to the end that, if your Honour's information is true, the said individuals may be taken away, and brought to this capital, as this Government reckons upon superabundant means and resources for that purpose.

God preserve, &c.

(Signed) LORENZO DEL BUSTO,
Political Secretary.

Inclosure 5 in No. 565.

Consul-General Crawford to the Captain-General of Cuba.

Havana, August 2, 1853.

YOUR Excellency having been pleased to inform me on the 16th ultimo, that orders had been issued to take the men who were at Cayo Cortez from their perilous situation described in the communication which

I did myself the honour of addressing to your Excellency on the 13th of the same month; three of said men being, as I understand, British subjects, who were against their will engaged in the Slave Trade on board the barque "*Jasper*," which vessel was burnt at the shoal called the Viril after her cargo of Bozal negroes had been landed;

I request the favour of your Excellency's informing me whether said men have been rescued and placed in security, and if they have been brought to Havana, whether I can have access to them, for the purpose of interrogating them as to their having been on board the slaver alluded to, so as to enable me to form an opinion as to the extent of their criminality, having been informed that they charge the American master of the "*Jasper*" with entrapping them, so as that after that vessel's transfer to the slave-owners at the coast of Africa, they found it impossible to get away from the ship, and therefore were forced to come to the Ensenada de Cortez, where the negroes were landed.

I have, &c.
(Signed) JOS. T. CRAWFORD.

No. 566.

Consul-General Crawford to the Earl of Clarendon.—(*Received August* 22.)

My Lord, *Havana, August* 2, 1853.

ON the 26th ultimo twenty persons arrived here under guard from the Ensenada de Cortez, being the crew of the Spanish schooner "*Nueva Empreza*," which vessel arrived at Cayo Cortez and was burnt after having successfully landed her cargo of Bozal negroes, with the connivance of the local authorities; and so well had the combinations been made in this case that it is not yet known how many slaves she brought from Ayuda, the place she sailed from on the coast of Africa. I have reason, however, to believe that her cargo consisted of about 400, and that the "*Nueva Empreza*" was under the command of a person called Dominguez, who some months ago sailed for the coast of Africa from the Isle of Pines.

A lieutenant in the Spanish army, whose name is Adolfo, was entrusted with the service of capturing the slave crew, consisting, as I have said, of twenty persons, which he effected, the master, Dominguez, having got away previously to Havana; and in looking for the man, Lieutenant Adolfo, as I have been informed, not only discovered the scorched remains of the schooner, but also those of the burnt "*Jasper*," which could not be found by either of the four Commissioners who had been sent to investigate the affair of the larger vessel.

M. Adolfo was opposed by all the slave-traders in the district of Pinar del Rio; his guard was assaulted by armed men, who would have rescued the prisoners but for his firmness; and the slavers so far succeeded, as I am informed, in tampering with the second mate and boatswain, as to get them to declare upon their examination at Pinar del Rio that they had come from Ayuda, it is true, but that, having been anticipated by another vessel which took in the slaves intended for the "*Nueva Empreza*," they had returned without any Bozals, and had had the misfortune to lose their vessel upon one of the numerous reefs which surround the landing-places in the Ensenada de Cortez; but my correspondent adds, that the contramestre (boatswain) made that declaration at Pinar del Rio after he had been told that it would not avail him to turn evidence in the matter, which he had agreed to do, and probably still may be induced to do, if the promise of pardon held out to him by Lieutenant Adolfo is repeated by higher authority here, especially now that the men are beyond the influence of the gang of slave-traders and officials who, under Lieutenant-Governor Pantaleon Lopez Ayllon (now suspended for his misdeeds), have got that district into a most alarming state of disorder.

I have, &c.
(Signed) JOS. T. CRAWFORD.

No. 567.

Consul-General Crawford to the Earl of Clarendon.—(*Received August* 22.)

My Lord, *Havana, August* 2, 1853.

I HAVE the honour of laying before your Lordship the copy of a letter which I considered it my duty to address to the Captain-General on the 14th ultimo, in consequence of a despatch which I received from Mr. Wodehouse, Her Majesty's Superintendent of British Honduras, inclosing, for my information, the copy of a letter which he had addressed to Sir George Seymour, the Vice-Admiral Commander-in-chief of Her Majesty's Naval Forces in the West Indies, relative to certain acts of slave-trading committed on the coast of Yucatan, where an extensive system of man-stealing had, it appears, been carrying on by a person called J. B. Anduze, in combination with Don Francisco Marty y Torrens, of this city, the viveros, or fishing-smacks, of the latter, being sent to Islas Mugeres, at the north-east corner of the peninsula of Yucatan, to receive on board and bring here the unfortunate Indians who had previously been entrapped by Anduze at Spiritu Sancto and Ascension.

The result of the inquiries I have since made upon this subject induces the belief that some 160 or 170 Indians have been kidnapped in this manner and are here dealt with as slaves, having no fixed agreement as to wages, clothing, or period of service, whilst they are subjected to the operation of the dominical rule like negro slaves.

I have not been favoured with any answer from General Cañedo, nor have I heard that he has taken any steps in consequence of my letter for the liberation of the captive Indians; but I have heard that Don Francisco Marty y Torrens has been very busy, obliging these poor Indians to sign, or put their marks to, papers in the Spanish and Maya idioms, purporting to be agreements for periods of service under certain conditions, which agreements, under the circumstances, cannot in any way be considered as valid.

M. Marty y Torrens has himself confessed to me that those Indians, brought in his vessels from Yucatan, were serving him without any agreements whatever; that he had obtained them through the agency of M. J. B. Anduze; but that he was not aware of their having been kidnapped, as no doubt was the case.

I have had some conversation upon this subject with M. Carvallo, the Mexican Consul. I have given him full information, and he has applied to the Mexican Government, expecting to receive instructions to claim the liberation of all the Indians so entrapped.

I have, &c.

(Signed) JOS. T. CRAWFORD.

P.S.—By the next mail I propose to forward a copy of the correspondence to Her Majesty's Minister at Mexico.

Inclosure 1 in No. 567.

Consul-General Crawford to the Captain-General of Cuba.

Most Excellent Sir, *Havana, July* 14, 1853.

I HAVE the honour of laying before your Excellency the inclosed extract of a despatch which was addressed on the 10th ultimo by Her Majesty's Superintendent at British Honduras to Vice-Admiral Sir George Seymour, Commander-in-chief of Her Majesty's Naval Forces in the West Indies, setting forth how the Slave Trade is being carried on by parties named in said despatch, who are resident at this place, by means of an agent, who has been arrested at Belize; which agent, it appears, was engaged in kidnapping Indians at certain places in Yucatan, and sending them on here to Havana, to be dealt with as slaves; and especially that a Spanish vessel, called the "*Alerta*," did, on or about the 25th May last, take on board at the Islas Mugeres (which lay off the north-east corner of

the Peninsula of Yucatan) thirty Indians (men), who had been enticed on board the vessel called the "*Jenny Lind*," on the pretence of trading, but who were seized by J. B. Anduze (now a prisoner for that offence at Belize), transferred at Isla Mugeres from the "*Jenny Lind*" to the "*Alerta*," and they were brought by the last-named vessel to this port of Havana, to the consignment of a person called Francisco M. Torrens, and are no doubt held by him in his service under the piratical circumstances which are set forth in his Excellency Mr. Superintendent Wodehouse's despatch.

Your Excellency will no doubt dictate such measures as may be best calculated to effect the liberation of these kidnapped Indians and the punishment of the parties here who have been concerned in these most infamous transactions, which I understand have been carried to a great extent. Your Excellency will certainly put an end to them, and cause the Indians to be sent back to Yucatan, with such compensation as may be justly awarded them, at the cost of the parties who have been engaged in such unholy traffic.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 2 in No. 567.

The Superintendent of British Honduras to Vice-Admiral Sir G. Seymour.

Government House, Belize, British Honduras,
(Extract.) *June* 10, 1853.

A STATEMENT was made to me by a person in this place to the effect that he had just returned from a voyage as one of the crew of a small vessel called the "*Jenny Lind*," which had sailed from this port in the early part of last month, chartered by J. B. Anduze, a party whom I have caused to be arrested. That they had proceeded to Spiritu Sancto and Ascencion, on the coast of Yucatan, had there enticed a number of Indians on board, under pretence of trading with them, and had carried them off to the neighbourhood of Isla Mugeres, at the north-east end of Yucatan, where they were immediately transferred to a Spanish vessel, which sailed with them from Havana, where they were to be held as slaves.

As I was of opinion that the accused had rendered himself liable to prosecution under the 10th section of the Act 5th and 6th George IV, cap. 113, for the abolition of the Slave Trade, I at once ordered his arrest; he was committed to prison, and on his being searched, there was found upon him a letter from a person in Havana, stating the exact price he would give for men, women, &c., as well as a copy of the reply made by the prisoner, advising the shipment of the Indians on the 25th of last month.

The name of the correspondent at Havana is Francisco M. Torrens; the name of his vessel is stated to be the "*Alerta*," and he offers the following terms:

	Dollars.
For every male of from 16 to 20 years . .	25
For every male between 16 and 12 years . .	17
For every child under 12 years	8
For every woman of from 16 to 20 years . .	17
For every girl below 16 years	8

on condition that they shall be sound, and without any addition.

In reply, the prisoner notifies the shipment of the Indians, requests that two of the number (specially indicated) may be sent back, to be employed in entrapping others, and gives a list of the goods which he wishes to receive on the return of the vessel from Havana to Isla Mugeres.

In a postscript he says that he has sent thirty-three men and three girls, but there seems reason to believe that after that was written a change took place in his arrangements; thirty men only were sent to Havana, and the others were left as slaves at the Isla Mugeres.

No. 568.

Consul-General Crawford to the Earl of Clarendon.—(*Received August* 22.)

My Lord, *Havana, August* 3, 1853.

THE distressing situation of that much-abused class, the emancipados, was again brought under the notice of the Captain-General on the 19th ultimo, in a letter which I addressed to his Excellency, copy of which I have now the honour of inclosing herewith to your Lordship.

The case of Escolastica has been subject of two former representations; that of Carmen is but one of many, who, like her and Escolastica, and their children, are unjustly subjected to the most cruel servitude.

The last I have noticed is the case of Catalina, the daughter of an emancipada deceased, over whom dominion is exercised and pretended to be established, although it is as clear as the sun at noonday that she must be as free as those who figure as her masters.

This day I have learnt that poor Catalina has been taken from M. Dias' house, by order of the Captain-General, and she will most likely be placed in deposit, until it can be legally decided what her true condition is—a process which, from the experience I have had in the cases of Mary Anne Bethel and Plassy Lawrence, will take up a year, if not two, during which period the girl will be as it were in prison, and obliged to work hard.

I would most respectfully bring the emancipados under your Lordship's consideration, that they may obtain that justice to which they are entitled, and which has been so long withheld from them and their children.

I have, &c.

(Signed) JOS. T. CRAWFORD.

P.S.—I find that I have omitted to mention that I have not received any answer to the communication to the Captain-General referred to in this despatch.

Inclosure in No. 568.

Consul-General Crawford to the Captain-General of Cuba.

Most Excellent Sir, *Havana, July* 19, 1853.

I DID myself the honour of addressing your Excellency on the 28th May last, for the purpose of bringing under your Excellency's notice the case of the emancipada Escolastica Perez and her children, respecting whom I found it my duty to write to your Excellency on the 22nd May last year.

I regret that this poor woman, who ought to have had her free papers six years and a half ago, is still obliged to serve and be treated as a slave by Don José Musquiz, to whom she has been assigned, and who it seems exerts the power of a master over her children, which he most certainly has no right to do.

I should have considered the subject of these communications which I did myself the honour of addressing to your Excellency of so much urgency and importance as to have merited a reply; but as my representations respecting Escolastica Perez and her children, as well as respecting the whole of that class who are entitled to be free, but who are retained in servitude, contrary to the solemn engagement of Spain, appear to have escaped your Excellency's notice, I would again respectfully remind your Excellency that Her Majesty's Government has never ceased to feel the liveliest interest in these emancipados, and will insist upon the fulfilment of the solemn assurance respecting them which was given by the Government of Her Catholic Majesty in July 1842, notwithstanding that the period for their having all been liberated has been so long exceeded.

There are numerous cases of the unjust retention of these poor people in servitude daily brought forward, and I would particularize one or two (in proof of the extreme hardship of their condition), in the most confident hope that your Excellency will at once resolve to accomplish this great

act of humanity, and declare the whole of the emancipados comprehended in the solemn assurance of the Spanish Government, to be free.

A negress whose name is Carmen, captured in 1835 by Her Majesty's ship "Arachne," on board the Spanish schooner "*Ioven Reyna*," is assigned to Don Rafael Valdez. Carmen has two children, the oldest being a girl, now ten years of age. Not only is the mother obliged to serve, but the children, who are as free as M. Valdez, are obliged to serve in his family without pay; and the woman Carmen is subject to the most cruel treatment.

Escolastica, in consequence of M. Musquiz having heard that she had attempted to represent her case to your Excellency at a public audience, was sent off to a coffee estate, and I understand that Carmen is now threatened to be dealt with in the same way by M. Valdez.

But I would interest your Excellency very especially with regard to a young mulatta Catalina Francisca, who is daughter to the emancipada Maria Encarnacion, deceased six or seven years since.

The mother, Maria Encarnacion, died in the Hospital de Paula. She has been assigned to Donna Juana Cabrera, who resided either in the parish of Espirito Sancto, or at Guanabacoa, but is deceased.

This Catalina, it appears by her "fé de bautismo" in the church of Spirito Sancto, dated 5th March, 1836, was born in February of that year: she is consequently upwards of seventeen years of age. Her sponsors at her baptism appear to have been Don José Dominguez and Donna Merced Mora.

The said Catalina being the child of an emancipada, your Excellency is well aware cannot be otherwise than free; but strange to say, she is dealt with as if she were a slave! A certain Don José Belasco, who resides in the Calle de los Angeles, claims to have dominion over the said Catalina, as being albacea of the deceased, Don Francisco Engracia, to whom it seems she was assigned at her mother's death; and I have been informed that notwithstanding the said Catalina had appointed her curador, in the exercise of her rights, and who had notified to Don Tomas Dias, in whose house she now is, not to pay her wages to said Belasco, who can have no right whatever to receive anything belonging to Catalina, she being free, and of age to appoint her guardians, yet the said Belasco has obliged Dias to deposit the girl's wages in the Tribunal of the First Alcalde Mayor, and M. Zembrana, with that rectitude and justice for which he is so conspicuous, will no doubt report this circumstance to your Excellency, which will be sufficient to direct your Excellency's attention to the instant rectification of such abuse, and the protection of the so-much-injured Catalina, declaring her to be free.

I have, &c.

(Signed) JOS. T. CRAWFORD.

No. 569.

The Earl of Clarendon to Consul-General Crawford.

(Extract.) *Foreign Office, August* 30, 1853.

WITH reference to your despatch of the 28th of May, relative to the case of the negress Nancy and her two sons, whose liberation has been claimed by Mr. Forbes, Her Majesty's Consul at St. Jago de Cuba, I have to acquaint you that I have received from Mr. Otway, Her Majesty's Chargé d'Affaires at Madrid, a copy of a letter from General Lersundi, the Spanish Secretary of State for Foreign Affairs, stating that Her Majesty's Government have failed to prove that Nancy came from Jamaica, and that on the contrary the certificate of the Colonial Secretary of Jamaica, which Mr. Forbes communicated to the Governor of St. Jago de Cuba on the 15th of March, 1849, shows that the records kept in the Colonial Secretary's office do not supply any information respecting the said negress, either as conveyed or manumitted by Mr. John Clarke or by any one else, or as registered as a slave by him or any one else.

General Lersundi also observes that the declaration of John Boileau Sorapure as to his knowledge of Nancy, and of the circumstance of her removal from Jamaica, is unsupported by other corroborative testimony,

and that no evidence whatever has been produced as to the uninterrupted series of masters to whom the negress Nancy may have belonged after her transfer from her first master, who is supposed to have brought her from Jamaica; and further, that the identity of her two sons has not been proved.

No. 570.

The Earl of Clarendon to Consul-General Crawford.

Sir, *Foreign Office, August* 30, 1853.

WITH reference to your despatch of the 4th ultimo, calling the attention of Her Majesty's Government to the tone and style of the answers returned by the Captain-General of Cuba to your communications with regard to the Slave Trade, I transmit herewith a copy of a despatch* which I have addressed to Her Majesty's Chargé d'Affaires at Madrid, instructing him to make a representation to the Spanish Government upon the subject of your despatch. I am, &c.

(Signed) CLARENDON.

No. 571.

The Earl of Clarendon to Consul-General Crawford.

Sir, *Foreign Office, August* 30, 1853.

I HAVE received your despatch of the 2nd instant, and I have to acquaint you that Her Majesty's Government approve the steps taken by you in consequence of the information sent to you by the Superintendent of Honduras, as to the proceedings of a person named J. B. Anduze, who had kidnapped thirty natives of Yucatan, and sent them to Cuba to be dealt with as slaves. I am, &c.

(Signed) CLARENDON.

No. 572.

The Earl of Clarendon to Consul-General Crawford.

Sir, *Foreign Office, August* 30, 1853.

I HAVE received your despatch of the 5th ultimo, referring to General Lersundi's statement that you are not disposed to do justice to any endeavours that General Cañedo might make for the suppression of the Slave Trade, and I have to acquaint you that your contradiction of this assertion will be made fully known to the Spanish Government.

I am, &c.

(Signed) CLARENDON.

No. 573.

The Earl of Clarendon to Consul-General Crawford.

Sir, *Foreign Office, August* 30, 1853.

I TRANSMIT herewith an extract of a note† which Her Majesty's Chargé d'Affaires at Madrid has received from the Spanish Minister for Foreign Affairs, calling his attention to the language used in a communication which was addressed to the authorities of Cienfuegos by a person named John Quesseil, who represented himself to be your agent.

I have to desire that you will transmit to me any observations which you may have to make with regard to the inclosed extract, and you will explain how it happened that you delegated any authority to a man who seems to have been ill-fitted for the business upon which he was employed, and who, by his intemperate and unbecoming language, has given the Spanish Government a cause of complaint against you for having employed such a person. I am, &c.

(Signed) CLARENDON.

* No. 436. † Inclosure in No. 437.

No. 574.

The Earl of Clarendon to Consul-General Crawford.

Sir, *Foreign Office, August* 30, 1853.

I HAVE received your despatch of the 2nd ultimo, inclosing a copy of the answer returned by the Captain-General's Secretary to the letter which, by my direction, you addressed to his Excellency on the 25th of May, respecting his refusal to allow the Bahama negress Mary Anne Bethel, and the emancipada Mamerta, to remain in Cuba.

And I have to inform you that I have instructed Her Majesty's Chargé d'Affaires at Madrid to remonstrate with the Spanish Government against the discourteous language used in the Political Secretary's letter to you of the 28th of June.

I am, &c.

(Signed) CLARENDON.

No. 575.

Consul-General Crawford to the Earl of Clarendon.—(*Received September* 1.)

(Extract.) *Havana, August* 4, 1853.

I HAVE the honour of acknowledging the receipt of your Lordship's despatch dated the 30th of June, transmitting for my confidential information a copy of a note founded upon my despatch of the 28th of April last, which your Lordship had transmitted to Her Majesty's Chargé d'Affaires at Madrid, to be presented to the Spanish Minister for Foreign Affairs.

It is exceedingly gratifying to me, that the explanations I was able to give as to the reports upon the state of the Slave Trade, the accuracy of which had been impugned by the Captain-General, have been such as to satisfy Her Majesty's Government that the reports which I have had the honour of submitting, are essentially founded in fact.

No. 576.

Consul-General Crawford to the Earl of Clarendon.—(*Received September* 1.)

My Lord, *Havana, August* 4, 1853.

I HAVE the honour of laying before your Lordship a copy of a letter which, on the 23rd ultimo, I addressed to his Excellency the Captain-General, in consequence of a request from Mr. Backhouse, Her Majesty's Judge in the Mixed Court of Justice at this place, founded upon your Lordship's despatch with reference to the Captain-General's communication addressed to the Mixed Court, dated the 7th of May last, relative to the capture of 16 Bozal negroes on the shores of Cayo Verde, and their having been declared to be emancipados; instructing Mr. Backhouse to ascertain and report to your Lordship the manner in which, and the places where, those negroes have been allocated, and the names of the persons to whom they may have been assigned.

I stated distinctly to his Excellency that, in consequence of that instruction, Her Majesty's Commissary Judge had requested me to communicate to him your Lordship's despatch, and to request that he would furnish me with the information required, in order that it might be transmitted to Her Majesty's Government.

Your Lordship will perceive, by Secretary Del Busto's answer of the 27th, that the Captain-General does not deem it convenient to give any sort of information as to the particulars embraced in my letter, regarding the 16 Bozal negroes of Sagua la Grande.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 576.

Consul-General Crawford to the Captain-General of Cuba.

Most Excellent Sir, *Havana, July* 23, 1853.

I HAVE the honour of laying before your Excellency the copy of a letter which I have received from Mr. Backhouse, Her Majesty's Commissary Judge in the Mixed Court of Justice at this place, inclosing the copy of a despatch which he had received from Her Majesty's Secretary of State for Foreign Affairs, the Right Honourable the Earl of Clarendon, in which, with reference to your Excellency's communication of the 7th of May last, addressed to the Mixed Court, relative to the capture of 16 Bozal negroes on the shoals of Cayo Verde, and their having been declared emancipados.

His Lordship has instructed Mr. Backhouse "to ascertain and report to him the manner in which, and the places where, these negroes have been allocated, and the names of the persons to whom they may have been assigned;" and, in consequence of that instruction, Her Majesty's Commissary Judge has requested me to communicate to your Excellency Lord Clarendon's despatch, and to request that your Excellency will furnish me with the information required, in order that it may be transmitted to Her Majesty's Government.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 2 in No. 576.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, July* 27, 1853.

HIS Excellency the Captain-General does not deem it convenient to give your Honour any sort of information as to the particulars embraced in your letter of the 23rd instant, regarding the 16 Bozal negroes of Sagua la Grande and he charges me to manifest this to your Honour in answer.

God preserve, &c.

(Signed) LORENZO DEL BUSTO,
Political Secretary.

No. 577.

Consul-General Crawford to the Earl of Clarendon.—(Received September 1.)

(Extract.) *Havana, August* 9, 1853.

THE communication which was made officially by the Spanish Government to Her Majesty's Minister at Madrid, copy of which your Lordship did me the honour of transmitting to me in a despatch dated the 24th of May last, stating that the Captain-General of Cuba had authorized the District Governors of this island to enter any estates where there may be reason for suspecting that newly-imported negroes are concealed, and to deliver up such negroes to the Captain-General, I must say, never inspired much confidence as to its efficacy, because it did not expressly state to Her Majesty's Government, however clearly it was implied in the communication referred to, that General Cañedo's measure had been approved by the Spanish Government. It always wanted the sanction of the law, or rather it was a measure which, being directly contrary to the law, required that law to be repealed, in order to its being carried into effect.

The outcry against General Cañedo, when he captured the negroes upon several estates belonging to the expedition of Capó, and those more recently imported by the "*Lady Suffolk*," was therefore very great, and

it is understood has placed his Excellency in the disagreeable position of not being able to follow out proceedings in the Royal Audiencia with regard to the persons implicated in the Slave Trade, because it is well known that the opinion of that tribunal is, that his Excellency's proceedings were illegal, and that that Court would order the restitution of the captured negroes.

In this way, your Lordship will easily perceive that it is necessary to have the Penal Law altered; and until that has been done, I think it very improbable that the Captain-General will follow recently-imported negroes to take them from the estates, however clear the proofs may be, that they have been illegally imported. How urgently important is it then that the Penal Law should be remodelled, expressly to authorize the capture of all newly-imported negro slaves, wherever they may be found, attaching a fine for each, to the parties upon whose property they may be at the time of capture, and greatly increasing the penalties and punishments of all who are engaged in the Slave Trade.

With regard to the arrest of Don Julian Zulueta, which I reported to your Lordship in my despatch of the 21st of June. After his having been in Fort Cabañas since that time, until four or five days ago, he has been permitted to return to his own house (still, as I understand, under arrest), upon the plea of ill health.

At the time of Zulueta's arrest, which took place just after he had effected the landing of the large cargo of slaves brought by his vessel the "*Lady Suffolk*," it was believed that he had been accused of being engaged in slave-trading, and that he would be arraigned in the Royal Audiencia for that crime.

I am now enabled to state to your Lordship, that there has been no information lodged against M. Zulueta; that his arrest was merely a gubernative measure; that he was taxed by General Cañedo with having made use of his Excellency's name to cover some transactions of slave-trading in the country; and that upon his being so accused, he had been wanting in due respect to his Excellency: but no formal proceedings have been taken against him; and the Captain-General having submitted M. Zulueta's case of offence to the law officers of the Government, their opinions have been against his Excellency, and have declared that Zulueta's arrest has been quite illegal, the more so as that he, being one of the Consuls of the Tribunal of Commerce, ought to have enjoyed immunity in this city.

These circumstances to which I have just alluded, added to the almost impossibility in which the Captain-General finds himself to obtain truthful information, either by Commissioners specially employed, or otherwise, respecting infractions of the Treaties, by the introduction of negro slaves in any part of the island, however morally convinced he may be, or however notorious may be the circumstances of such violation, render his Excellency's position most embarrassing.

No. 578.

The Earl of Clarendon to Consul-General Crawford.

Sir, *Foreign Office, September* 9, 1853.

I TRANSMIT herewith, for your information, a copy of a despatch* which I have addressed to Her Majesty's Chargé d'Affaires at Madrid, with regard to the statements contained in your despatch of the 9th ultimo, as to the embarrassment which the Captain-General has experienced in carrying out his orders directing that newly-imported negroes should be pursued to the estates in the Island of Cuba where they may be concealed.

I am, &c.

(Signed) CLARENDON.

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* No. 449.

No. 579.

The Earl of Clarendon to Consul-General Crawford.

Sir, *Foreign Office, September* 15, 1853.

I TRANSMIT to you herewith, for your information and guidance, the accompanying copy of a confidential despatch* from Mr. Baker, Her Majesty's Consul at Barcelona, in which he states that a vessel, suspected to be destined for the Slave Trade, has sailed from that port for the Havana.

I am, &c.
(Signed) CLARENDON.

No. 580.

The Earl of Clarendon to Consul-General Crawford.

Sir, *Foreign Office, September* 20, 1853.

I TRANSMIT to you herewith, for your information, a copy of a despatch† which I have received from Mr. Morgan, Her Majesty's Consul at Bahia, stating that there has been an increased activity lately in the shipment of cargoes from that port for the coast of Africa, and that he understands that those shipments are intended to be employed in the Cuba Slave Trade.

I am, &c.
(Signed) CLARENDON.

No. 581.

The Earl of Clarendon to Consul-General Crawford.

Sir, *Foreign Office, September* 22, 1853.

I TRANSMIT to you herewith, for your information, a copy of a despatch‡ which I have received from Her Majesty's Consul at St. Catherine's, in Brazil, respecting the fitting out of slavers at Monte Video, and reporting that four slavers, which had sailed from St. Catherine's for the coast of Africa in 1851, had returned to Cuba with cargoes of slaves, which they safely landed in that island.

I am, &c.
(Signed) CLARENDON.

No. 582.

The Earl of Clarendon to Consul-General Crawford.

Sir, *Foreign Office, September* 22, 1853.

I TRANSMIT to you herewith, for your information, a copy of a letter§ which has been received at this department from the Admiralty, addressed by Lieutenant Jolliffe, of Her Majesty's ship "Myrmidon," to Rear-Admiral Bruce, reporting that he had captured, off Kilongo, on the 31st of May last, a vessel named the "*Maria,*" without papers or colours, fully equipped for the Slave Trade, which was supposed to have sailed from some port in the neighbourhood of the Havana.

I am, &c.
(Signed) CLARENDON.

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* No. 505. † No. 176. ‡ No. 212.
§ Class A, Inclosure in No. 125.

No. 583.

Consul-General Crawford to the Earl of Clarendon.—(*Received October* 3.)

My Lord, *Havana, August* 27, 1853.

I HAVE the honour of laying before your Lordship the translation of a letter which I have received from the Mixed Court at this place, being the result of my efforts to obtain and transmit full information respecting the emancipados, in obedience to the instruction which was given to me in Mr. Addington's despatch dated the 1st of October, 1852.

I respectfully beg leave to refer your Lordship to my despatches of the 4th and 24th of November last year, upon this most important subject, wherein I ventured to express my opinion as to the difficulty there would be in getting the Spanish Judge of the Mixed Court to act in this matter; and this opinion, it appears, has been fully verified.

I understand that Mr. Backhouse has had the greatest difficulty in getting the Marquis de Esteva to move, and that, with this unsatisfactory answer of the Captain-General to the application which the Court at last addressed to his Excellency for the lists which ought to have been furnished periodically to that tribunal, the Spanish Judge refuses to apply for the said lists, and Her Majesty's Commissary Judge has had no alternative but to refer the point for your Lordship's decision.

Your Lordship will not fail to notice that the Captain-General has seized hold of the wording of the Mixed Court's application, and that his Excellency's answer is expressed in conformity, as if the lists applied for had been for Her Majesty's Consul-General; but it has to be borne in mind that General Cañedo perfectly well knew what was the nature of the Court's application for the said lists, and that Her Majesty's functionaries were following up the orders which the Spanish Government assured Mr. Otway had been sent, instructing him to furnish to the Mixed Court the information which is mentioned in Articles V and VI of Annex (B) to the Treaty of the 28th of June, 1835.

As connected with the same subject, I have also the honour of laying before your Lordship a copy of a correspondence which I have had with the Captain-General of this island, in consequence of a letter which I received from Her Majesty's Commissary Judge, requesting me to transmit to his Excellency, in obedience to a despatch which had been addressed to him by your Lordship, the copy of a note which was addressed by his Excellency the Count Alcoy to Lord Howden, Her Majesty's Minister at Madrid, on the 15th of March last, informing his Lordship what steps had been taken, in accordance with a promise which the Spanish Government had already made, that all the captured negroes who were entitled, by virtue of the Treaties between Great Britain and Spain of 1817 and 1835, to claim emancipation, should, with certain exceptions, receive their freedom before the end of the present year of 1853; and to state to his Excellency, at the same time, that Her Majesty's Government maintain that Escolastica and her children ought to be included in the class of emancipados whose liberation has been promised to Her Majesty's Government by that of Her Catholic Majesty.

Although the Captain-General desired the Political Secretary, Don Lorenzo del Busto, to acknowledge the receipt of this communication, which it was clearly expressed to his Excellency had been addressed to him in consequence of your Lordship's express instruction to Her Majesty's Commissary Judge, that acknowledgment is accompanied by the usual discourteous observation as to my not being authorized to address such communications to his Excellency.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 583.

The Judges of the Mixed Court of Justice to Consul-General Crawford.

(Translation.) *Havana, August* 2, 1853.

IN answer to the communication which this Mixed Court of Justice addressed to his Excellency the Governor and Captain-General on the 12th of July last past, as to your Honour's request to be furnished with a copy of the general returns which are referred to in the Vth and VIth Articles of Annex (C) to the Treaty of 1835, relative to the existence (numbers remaining) of the negroes who have been emancipated, their deaths, improvement of their condition, &c.,—as said statements do not exist in this before-mentioned tribunal,—his Excellency says to us, under date the 23rd of the same month, as follows:

"Most Excellent Sir,—I have received the official letter of the Court, dated the 12th instant, soliciting, for the Consul-General of England, and at his petition, a copy of the statements relative to the remaining emancipated negroes; and qualifying as officious the act of said functionary, in whom there exists no authority whatever to have made the request, I say so to the Court in answer."

And which we translate to your Honour, in consequence of its having been so resolved in the Court which was held yesterday.

God preserve, &c.

(Signed) THE MARQUIS DE ESTEVA.
G. C. BACKHOUSE.

Inclosure 2 in No. 583.

Her Majesty's Commissary Judge at Havana to Consul-General Crawford.

Sir, *Havana, August* 24, 1853.

I HAVE received a despatch from the Earl of Clarendon, Her Majesty's Principal Secretary of State for Foreign Affairs, respecting the case of an emancipada named Escolastica, and her children, in whose behalf you have made an application to the Captain-General, and who have been transferred from Havana to the interior of this island.

In obedience to instructions contained in Lord Clarendon's despatch, I have to request that you will address a note to his Excellency the Captain-General, transmitting to him a copy of the inclosed letter, addressed by the Count de Alcoy to Lord Howden on the 15th of March last, informing him what steps had been taken in accordance with a promise which the Spanish Government had already made,—that all the captured negroes who were entitled, by virtue of the Treaties between Great Britain and Spain of 1817 and 1835, to claim emancipation, should, with certain exceptions, receive their freedom before the end of the present year of 1853; and that you will at the same time state to his Excellency that Her Britannic Majesty's Government maintain that Escolastica and her children ought to be included in the class of emancipados whose liberation has been promised to Her Majesty's Government by the Government of Her Catholic Majesty.

I am, &c.

(Signed) G. C. BACKHOUSE.

Inclosure 3 in No. 583.

Consul-General Crawford to Her Majesty's Commissary Judge.

Sir, *Havana, August* 29, 1853.

I HAVE the honour of transmitting to you herewith a copy of a letter which I addressed to his Excellency the Captain-General, in consequence of your despatch of the 24th ; and I also inclose to you a copy of Mr. Secretary Del Busto's answer, which is dated the 27th instant.

The object of serving the notice upon his Excellency, with regard to the liberation of the emancipados generally, as promised by the Spanish Government in Count Alcoy's note to Lord Howden of the 15th of March last, you will observe has been fully accomplished ; as well as the special notification respecting Escolastica and her children, notwithstanding the gratuitous observations which General Cañedo directed the Political Secretary to make in the concluding paragraph of his answer.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 4 in No. 583.

Consul-General Crawford to the Captain-General of Cuba.

Most Excellent Sir, *Havana, August* 24, 1853.

I HAVE the honour of inclosing herewith to your Excellency the copy of a letter of this day's date, which Mr. Backhouse, Her Majesty's Judge in the Mixed Court of Justice at this place, has addressed to me, in consequence of instructions which he has received from Her Majesty's Government with reference to the correspondence which I have found it my duty to address to your Excellency respecting the emancipada Escolastica and her children.

Her Majesty's Commissary Judge requests me to transmit to your Excellency the inclosed copy of a note which was addressed by his Excellency the Count Alcoy to Lord Howden, Her Majesty's Minister at Madrid, on the 15th of March last, informing him what steps had been taken in accordance with a promise which the Spanish Government had already made, that all the captured negroes who were entitled, by virtue of the Treaties between Great Britain and Spain of 1817 and 1835, to claim emancipation, should, with certain exceptions, receive their freedom before the end of this present year of 1853.

And I am at the same time to state to your Excellency that Her Britannic Majesty's Government maintain that Escolastica and her children ought to be included in the class of emancipados whose liberation has been promised to Her Majesty's Government by that of Her Catholic Majesty.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 5 in No. 583.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, August* 27, 1853.

HIS Excellency the Governor Captain-General received your Honour's official letter of the 25th current, inclosing to him copy of a letter addressed to you by Her Britannic Majesty's Commissary Judge in the Mixed Court of Justice respecting emancipated negroes.

His Excellency, in consequence thereof, orders me to say to you, that

as your Honour has no faculties [authority] for interference in that description of business [in such matters], it is painful to him not to be able to give you any answer whatever upon this subject.

God preserve, &c.

(Signed) LORENZO DEL BUSTO,
Political Secretary.

No. 584.

Consul-General Crawford to the Earl of Clarendon.—(*Received October* 3.)

(Extract.) *Havana, August* 28, 1853.

I DID myself the honour of reporting to your Lordship in my despatch dated the 9th ultimo, that the notorious slaver the "*Lady Suffolk*," after having landed her cargo of Bozal negroes at La Zapata in the Ensenada de Cochinos, in May last, proceeded to Laguna de Terminos in Yucatan, where, under Mexican colours, she had entered as the "*Mariana*," and I stated to your Lordship that I should see to the investigation of the circumstances under which she obtained papers as a Mexican vessel.

Her Majesty's brig "Daring," not having been admitted to pratique at Laguna, because of the cholera prevailing at Vera Cruz, Commander Napier was unable to obtain any information the first time he went upon that service; but having obtained, by the active exertions of Her Majesty's Minister, the ready acquiescence of the Mexican Government, for the visiting of vessels suspected of being engaged in Slave Trade, even in the ports of that Republic, as well as orders for the Captain of the Port and the Collector of the Customs at Laguna, to co-operate with and afford him all the assistance in their power, the Commander returned in the "Daring" to that place on his way to this port and Jamaica, and although even the second time, he was not admitted to "libre practica," he saw the ship in question, was satisfied by her appearance that she completely answered the description of the "*Lady Suffolk*," and he brought copies of her Mexican papers, as the "*Mariana*," under which she had navigated to Laguna, and reported from Cienfuegos. Commander Napier also brought me a copy of the ship's "rol," or articles of the crew and of the list of stores, &c., which was given to the custom-house officer upon her arrival.

I lost no time in calling upon the Consul of the United States, and in inquiring whether such documents as are stated upon the Mexican papers of the "*Mariana*," had emanated from that office.

Having received from the Acting-Consul an assurance that there was no record of any such letter or official document, or authority to sell the ship "*Mary*," as are stated to be deposited in the Mexican Consulate, proceeding from that of the United States, ever having been issued by Mr. Consul Sharkey, who was in office here at the date of the papers granted by the Mexican Consul; I then called upon the latter, and soon found that no such documents proceeding from the American Consulate were to be found in the Mexican office, but that the copies of the papers of the "*Mariana*," which were brought from Laguna by Commander Napier, were exact, and word for word compared with the record, which was left by M. Viró, and delivered to the present Consul, Don Ramon Carvallo, when he took possession of the Mexican Consulate on the 17th of May last.

Having personally ascertained the nature of the fraud committed at the Mexican Consulate, I then addressed a letter to Acting Consul Robertson, of the Consulate of the United States, copy of which and of his answer I have the honour of transmitting herewith.

I have also the honour of laying before your Lordship, a copy of that which I addressed to M. Carvallo, the Mexican Consul, and his answer thereto; and I inclose herewith to your Lordship, copies of the papers which were fraudulently, as I have described, issued to the "*Lady Suffolk*,"

purporting to have been furnished to the American ship "*Mary*" of Boston, William Smith, master, on the 13th of May last, under the pretence that said master was duly authorized by the owner of the said ship "*Mary*," Mr. Henry West, of Boston, to sell her to Don Juan Gutierrez, a Mexican citizen, acting for Don Jozé Ruiz, also a Mexican, and resident of that Republic. The said ship "*Mary*" having by the means above set forth become Mexican, is described as being of the burden or measurement of 416 tons, and to have been at that time lying in the port of Cienfuegos.

I lost no time in forwarding to Mr. Doyle, Her Majesty's Minister at Mexico, authenticated copies of all these documents, *viâ* New Orleans, and I took the pains to have application made at Cienfuegos, to the Capitan del Puerto, and to the American Consul, in order to ascertain whether any such ship or vessel as the "*Mary*" of Boston, William Smith, master, of 416 tons measurement, was in May last, or at any other time during this year, in that port.

The result of those inquiries having been, that the Captain of the Port and the American Consul have both certified that no such ship has been at the port of Sagua or Cienfuegos, during this year, I forwarded the original documents to Mr. Doyle, and have now the honour of transmitting copies to your Lordship along with this despatch.

But I regret most exceedingly that, subsequently, I have been informed the "*Lady Suffolk*" had got away from Laguna, so that the proofs which I have been able to adduce will only serve as the grounds for investigating the conduct of the party responsible for the issuing of the papers under the glaring circumstances which have resulted from my inquiries respecting this extraordinary affair.

I beg leave to lay before your Lordship, a copy of my letter to Mr. Doyle which accompanied the certificates from Cienfuegos, in which I have adverted to the date of the false papers, and that of the arrival here from Mexico of M. Viró, the Consul for that Republic, who having obtained the appointment of Minister to Spain, transferred the archives to Don Ramon Carvallo; and I have noticed to Mr. Doyle, that M. Soler (Viró's nephew), who as Acting Consul signed the false papers, is a mere boy, and could not have been authorized to act between the date of the incumbent's return to his post and the transfer of the archives, unless he did so upon the Consul's responsibility.

Inclosure 1 in No. 584.

Consul-General Crawford to Consul Robertson.

Sir, *Havana, July* 27, 1853.

I TRANSMIT to you herewith for your perusal, requesting that they may be returned to me afterwards, copies of the papers which it appears were issued from the Mexican Consulate at this place for a ship to be put under that flag on the 13th of May last.

The ship referred to was a slaver, and which was formerly the American vessel the "*Lady Suffolk*," whose history I need not go into, because it is already known in your Consulate: but I may add to your information respecting said ship, that after she had ceased to carry the American flag, she went to Africa, and from thence brought a cargo of negro slaves, which were landed at a place to the westward of Cienfuegos on the south of this island in that jurisdiction, with connivance of the Spanish authorities, as there is reason to believe.

As the ship referred to (formerly the "*Lady Suffolk*") had no papers under which to navigate, it seems that a scheme was got up to obtain for her the Mexican flag, and you will see by the documents which I am now enabled to lay before you that it is stated therein that they were issued upon the certificates and papers which are referred to as having been presented at the Mexican Consulate on the 13th of May last, viz., an official letter addressed by the United States' Consul to the Consul for

Mexico (who subscribed the sea letters of the ship referred to), requesting that a bill of sale might be extended for said vessel, and also that William Smith, as the attorney of Mr. Henry West of Boston, owner of the American ship "*Mary*," then (on the 13th of May last) said to be lying in the harbour of Cienfuegos, of the burden of 410 tons, &c., and was competently authorized to sell the said ship "*Mary*" to Don Juan Gutierrez, who became the purchaser, &c.

Now, as I have some reason to think that there has been a great fraud in this whole matter, and as there can be little doubt that the papers which were so obtained at the Mexican Consulate in this city were to cover, if possible, a ship which had been just before that date engaged in the Slave Trade—no such ship as the American ship "*Mary*," William Smith master, having been then or at any time in the harbour of Cienfuegos; and that the ship which carried the Mexican papers, so fraudulently obtained, was in reality the slaver formerly the "*Lady Suffolk*," which, under the assumed name of the "*Mariana*," arrived at Laguna de Terminos in Yucatan about the 30th of May last, where she has been detained by the Mexican authorities; I have to request that you will do me the favour of informing me officially whether there is any record in the United States' Consulate now under your charge of the transactions stated upon the papers issued to the "*Mariana*" as having originated by authority of the then Consul Sharkey; whether there is any knowledge or record of the ship "*Mary*," William Smith master, having been, about the 13th of May last, at Cienfuegos, and that said master, as attorney duly authorized by Henry West of Boston, owner of said vessel, was certified by Mr. Consul Sharkey to the Mexican Consul as entitled to sell said American ship "*Mary*."

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 2 in No. 584.

Consul Robertson to Consul-General Crawford.

Sir, *Havana, July* 28, 1853.

YOUR communication of the 27th instant, with the accompanying documents from the Mexican Consulate here, have been received, and their contents duly noted. In answer to your queries respecting a letter or any other authority from Judge Sharkey, the late Consul, authorizing the transfer of the ship "*Mary*," William Smith master, I have to say that I have carefully examined the records of this office, and find no mention made of such a ship or anything attending to or having reference to her, or any of the parties named in the papers emanating from the office of the Mexican Consul at Havana.

From the examination of these papers, the whole transaction, it would seem, was begun and ended in a fraud. For if the Mexican Consul had produced to him a communication from Consul Sharkey, it must have been a forged document; but even so, it appears to me that the document ought to be on record in the Mexican Consul's archives. For how could the Mexican Consul have given a register and mentioned that he had that document in his possession unless he had it, or unless he made a false statement in the documents issued by him, and which I perceive are all signed by Joaquin Soler "en ausencia del Señor Consul?"

I am, &c.
(Signed) WM. H. ROBERTSON.

Inclosure 3 in No. 584.

Consul-General Crawford to Señor Carvallo.

Havana, July 27, 1853.

DO me the favour to certify whether these papers are exact copies, word for word, of certain documents which, on the 13th of May last, were issued at the Mexican Consulate at that time under the charge of Don Joaquin Soler, acting for the Consul effective, who was Don Buenaventura Viró, which documents were granted to the ship "*Mariana,*" previously the "*Mary,*" which afterwards went on a voyage from Cienfuegos to Laguna de Terminos, the circumstances being set forth in the documents which I have now the honour of inclosing to you.

Said ship you already know officially has been detained by the officers and Mexican authorities at Laguna de Terminos in consequence of certain informalities and suspicion of having been engaged in Slave Trade, and this renders it necessary to clear up all doubts as to her having been furnished with papers as a Mexican vessel.

I therefore hope that you will be pleased to grant me certified copies of the documents referred to in said ship's papers, viz., of the official letter which it is said on the 13th May last had been received at the Mexican Consulate from that of the United States in this city, to draw up and execute the bill of sale of said property.

Also an official certified copy of the competent authorization of the American Consul which, it is said, Mr. William Smith presented as attorney of Henry West of Boston, merchant, to sell the said ship "*Mary*" to the Mexican Captain Don Juan Gutierrez, as attorney for Don Juan Ruiz.

Which two writings, indispensable for the habilitation of said ship, are no doubt deposited (as it is stated on the ship's papers) in the archives of the Consulate, now so worthily confided to your charge, and there ought not to be any objection to my being furnished with copies of said documents, in order that they might be recognized by the Acting-Consul of the United States, and afterwards transmitted, all complete, to Her Britannic Majesty's Minister Plenipotentiary near the Supreme Government of the Mexican Republic for such purposes as may be convenient.

God preserve, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 4 in No. 584.

Señor Carvallo to Consul-General Crawford.

(Translation.)

My dear Colleague and Friend, *Havana, July* 28, 1853.

CORRESPONDING to your attentive letter of yesterday's date, I have the honour of returning to you the documents of which you sent me copies, duly legalized, since they are textually inscribed under date the 13th of May last, in the protocol of this Consulate under my charge from pages 44 to 47 inclusive. I do not do so as regards the "patente" and "rol," as there is no record of these, and I cannot gratify you by sending the certified copies which you were pleased to ask of me, of the official letter addressed to this Consulate by that of the United States in this city, nor of the competent authority which the American Consul gave to Mr. Smith as attorney for Mr. Henry West, merchant of Boston, to sell the

ship "*Mary*," moored in Cienfuegos, to Captain Don Juan Gutierrez, attorney for Don Juan Ruiz; because I have not hitherto been able to find them in the archives of this Consulate, which has been under my charge since the 17th of said month of May last only.

See, my dear colleague, if there is anything else in which I can serve you, and in the mean time accept the assurance of my particular esteem.

God preserve, &c.

(Signed) RAMON CARVALLO.

Inclosure 5 in No. 584.

Papers referred to in Consul-General Crawford's letter to Señor Carvallo.

(Translation.) *Consulate of Mexico, at Havana.*

ON the 13th of the month of May, 1853, personally appeared before me, M. Juan Gutierrez, a Mexican citizen, acting for and in the name of M. José Ruiz, also a Mexican citizen and resident, and said:—

That having acquired, in the name of his principal, the property of the American ship "*Mary*," anchored in the port of Cienfuegos, as appears from an instrument in writing, transmitted on this day by the Consul of the United States of America to the undersigned Mexican Consul, &c., he was desirous that he should obtain the necessary papers duly authenticating his right and title.

Now, therefore, in presence of M. Juan Gutierrez, acting for and in the name of M. José Ruiz, and Mr. William Smith, Captain, first purchaser and second vendor of the American ship "*Mary*," the following articles were agreed upon before me and the witnesses whose names are hereinafter signed.

Captain Smith, by virtue of the full power which he holds from Mr. Henry West, merchant, of the city of Boston, and by virtue of competent authorization from his Consul in this Consulate, sells to the Mexican captain, M. Juan Gutierrez, agent of M. José Ruiz, the American ship "*Mary*," anchored in the bay of Cienfuegos, with her masts, tackle, sails, anchors, chains, running rigging, smaller crafts, and other appurtenances, according to the inventory now presented by the said captain.

The ship aforesaid measures 410 tons, and her dimensions are 120 feet keel, 130 extreme length, 17 feet hold, and 32 extreme breadth.

Captain Smith sells the aforesaid ship for the sum of 16,000 dollars, for which sum he acknowledges receipt in full, he having it now in his possession, and which said sum he acknowledges to have been paid to his complete satisfaction; and he therefore renounces all the rights which he had in and to the said ship, and he grants to the said purchaser, M. Juan Gutierrez, the fullest and completest acknowledgment of payment that may be conducive to his security, by virtue of which he abandons, divests, yields, and fully gives up the right of property which he has in the aforesaid vessel, the ship "*Mary;*" he grants, releases, and quit-claims the same, with all active, real, and personal, useful, mixed, direct, and executory, to the aforesaid purchaser, M. Juan Gutierrez, acting as the lawful attorney of M. José Ruiz, of Mexico, that he may hold the said vessel, and sell, alienate, and otherwise dispose of the same at his free will and choice, as his own property, acquired with a just and lawful title.

M. Juan Gutierrez, acting as the representative of M. José Ruiz, accepts the said sale, and therefore acknowledges that he has received the aforesaid ship, with all her apparel and other appurtenances set forth in the inventory.

In testimony whereof the foregoing was duly read to Captain Smith, through an interpreter, M. Fernando Ruiz, and he declared the same to be correct, and that the contents of this instrument were true and certain;

whereupon both parties hereto signed, in the presence of Ramon Diaz, Cipriano Muñoza, and Fernando Elias.

(Signed) JUAN GUTIERREZ.
WILLIAM SMITH.
FERNANDO RUIZ.
CIPRIANO MUNOZA.
FERNANDO ELIAS.

Before me,
(Signed) JOAQUIN SOLER.

The foregoing is a faithful copy of the original instrument entered in the 44th page of Book (A) of the Records of this Consulate, under my charge. In testimony whereof, and in order that the same may fully appear when necessary, I have signed these presents, on this 30th day of the month of May, 1853.

The Consul being absent,

(Signed) JOAQUIN SOLER.

Consulate of Mexico, at Havana.

By virtue of the petition presented to this Consulate by M. Juan Gutierrez, captain of the ship "*Mariana*," requesting that there be granted to the vessel under his command letters of naturalization, she being the property of M. José Ruiz, a subject and native citizen of the Republic, as appears from the instrument of sale made at this Consulate, under date May 13th instant, M. Valentin Conigo, a merchant of this place, personally appeared on this 13th day of May, 1853, and before me, Consul, and the witnesses whose names are hereunto subscribed, said, that in order to comply with the laws, he bound his present, past, and future property, giving two-thirds the amount of the security of two-thirds of the purchase-money of the ship "*Mariana*," he being consequently responsible to that amount for the improper use that might be made of the provisional patent of naturalization, solicited by Captain Juan Gutierrez, in order to allow his sailing with the said vessel under the Mexican flag.

In testimony whereof he signs these presents at the city of Havana, at the office of the Mexican Consulate, on the day abovementioned in presence of the witnesses Ramon Diaz, Cipriano Muñoza, and Fernando Elias.

(Signed) RAMON DIAZ.
CIPRIANO MUNOZA.
FERNANDO ELIAS.

Before me,
(Signed) JOAQUIN SOLER.

The foregoing document is a true copy of the original instrument, to be found on the 47th page of Book (A) of Records of this Mexican Consulate, and under my charge. In testimony whereof, and in order that the same may fully appear when necessary, I have, upon request, given these presents on this 13th day of May, 1853.

The Consul being absent,

(Signed) JOAQUIN SOLER.

Consulate of Mexico, at Havana.

The Mexican Consul at Havana declares that M. Juan Gutierrez, a Mexican subject, by profession a seaman, and the authorized agent of M. José Ruiz, a merchant of Mexico, has, duly and in conformity to the laws of the Republic, proven that he has acquired for his principal the property of the ship called the "*Mariana*," and that, desiring that she should carry the national flag, he requested that I should confer upon him the requisite letters of naturalization and patent of naturalization: Now I declare that the aforesaid vessel, the ship "*Mariana*," of the burthen of 410 tons, and of the following dimensions, keel net 120 feet, extreme length 130, extreme breadth 32, hold 17, has a right to navigate under the Mexican flag,

and consequently I grant the present passport to the said Juan Gutierrez, merchant-captain, in order that, with the said ship "*Mariana*," he may leave the port of Cienfuegos, where she is now anchored, and proceed to the Laguna de Terminos, for which voyage only this present provisional patent shall be valid, it being incumbent upon him there to present himself to the competent authorities, that they may deliver to him the necessary national patent.

Therefore, I do beg and entreat of all the civil, military, and naval officers and functionaries, the commanders of vessels of war, or other officers, both national and foreign, unto whom these presents may come, to consider the said vessel as Mexican, and consequently not to place any impediment in the way of her pursuing her voyage, but, on the contrary, to facilitate the same, tending her aid and succour, should the same be asked of them.

This present provisional patent, valid for this voyage only, has been given at the office of the Mexican Consul, at the city of Havana, the 13th day of May, 1853.

The Consul being absent,

(Signed) JOAQUIN SOLER.

Consulate of Mexico, at Havana.

Provisional list of the crew of the national ship "*Mariana*," 410 tons burthen, and belonging to M. Juan Ruiz, a merchant of Mexico, Juan Gutierrez, master, anchored in the port of Cienfuegos, to set sail on a voyage to the Laguna de Terminos, with the hands whose names are hereinafter set forth.

Rank.	Names.	Country.	Matriculated at.
Captain and Mate	Juan Gutierrez	Cadiz	Barcelona.
Second Mate	Franco. Sust	Ditto	Ditto.
Boatswain	Carlos Roig	Barcelona	Alicante.
Cook	Pedro Gutierrez	Malaga	Cadiz.
Sailor	José Gill	Ditto	Ditto.
Ditto	Pedro Sanz	Barcelona	Ditto.
Ditto	Juan Suarez	Malaga	Barcelona.
Ditto	Antonio Roch	Valencia	Cadiz.
Ditto	Eduardo Perez	Santander	Santander.
Ditto	Francisco Soler	Ditto	Ditto.
Ditto	Miguel Rosi	Italia	Parma.
Ditto	Sebasn. Lino	Barcelona	Cadiz.
Ditto	José Grema	Ditto	Barcelona.
Ditto	Cipriano Pacheco	Cadiz	Ditto.
Ditto	Gregorio Paz	Ditto	Cadiz.
Ditto	Fernando Garcia	Ditto	Ditto.
Apprentice	Anto. Pardo	San Sebastian	Malaga.
Ditto	Joaqn. Mila	Almeira	Ditto.
Ditto	Ramon Ros	Barcelona	Barcelona.
Page	Dionisio Mora	Ditto	Ditto.

I grant leave unto the said captain, with his vessel and crew aforesaid, to set sail for the Puerto de Laguna, to which place only this provisional roll will be used by him, and he shall there provide himself with all the papers required by our laws.

Said captain has declared that he has on board the following passengers;—Don José Ànto. Mestres, Don Rufino Salamanca, Don Felipe Dominguez, Don Juan Navarro, Don Manuel Mesloso, Don Palacio Alvarez.

Given at Havana this 13th day of May, 1853.

Consul being absent,

(Signed) JOAQUIN SOLER.

Manifest of the balance of provisions taken in by captain of the Mexican ship "*Mariana*," bound from the port of Cienfuegos to Laguna de Terminos.

14	barrels	beef.	20	bags	barley, damaged.
8	,,	pork.	2	,,	salt pork.
5	,,	biscuit.	2	,,	coffee.
3	,,	lard.	3	kegs	butter.
8	,,	vinegar.	2	,,	olives.
3	,,	mackerel.	2	,,	salt fish.
5	,,	brandy.	4	packages	smoked meat.
5	,,	biscuit, damaged.	½	bag	almonds.
1	,,	beer.	8	garrafons	wine.
½	,,	salt.	10	bottles	wine (Muscatel).
½	,,	flour, damaged.	16	dozen	cherry brandy.
1	box	sugar.	6	,,	syrup.
½	,,	cheese.	2	jars	olive oil.
1	,,	tea.	10	boxes	of sweetmeats.
4	,,	cod, damaged.	6	,,	small, medicine.
3	,,	cider.	4	,,	large, do.
½	,,	Rhenish wine.	2	,,	do., do.
3	bags	red beans.	6	bales	mats.
3	,,	white beans.	300	water-casks.	
3	,,	rice.	25	muskets.	
2	barrels	fresh biscuit.		ballast.	

Laguna de Terminos, May 31, 1853.

(Signed) JUAN GUTIERREZ.

Here follows M. Consul Carvallo's certificate dated the 28th of July, 1853, to the effect that all these documents are true copies of the originals in the office of the Mexican Consulate.

Inclosure 6 in No. 584.

Consul-General Crawford to Mr. Doyle.

(Extract.) *Havana, July* 28, 1853.

HER Majesty's brig-sloop "Daring" arrived here on the 26th instant from Vera Cruz, last from Laguna de Terminos, where Commander Napier was not admitted to pratique, but he was able to have interviews with the Captain of the Port and the Collector of the Customs, as well as with Mr. Vice-Consul Shields, relative to the ship "*Mariana*" (a) "*Lady Suffolk*," which vessel fourteen days ago was still under detention of the Mexican authorities at Laguna.

Commander Napier explained the nature of the Treaty between Great Britain and Mexico to the local authorities, showing them that they were justified in detaining the "*Mariana*" for many reasons, she having had on board no less than 300 water-casks, 90 bags of millet, and other materials only used by slaves, besides the informality of her papers, copies of which the Commander obtained and laid before me.

Upon a careful examination of said papers, which it appears were

issued on the 13th of May last by Acting-Consul Soler, of the Mexican Consulate in this city, I discovered that it is set forth in them that they were granted upon official communications which had been addressed by the Consul of the United States to that of Mexico, which are referred to, and are stated to be in the archives of the latter Consulate.

I lost no time in inquiring as to the reality of said documents referred to in the "*Mariana's*" papers, and I have ascertained not only that none such ever emanated from the Consulate of the United States, but that there are no such documents existing in the archives of Mexico! So that the whole of these papers belonging to the "*Mariana*" have been fraudulently obtained and issued in a manner which must call for the fullest investigation of the Mexican Government to detect and punish the actors in this transaction.

The papers are signed as having been despatched by Acting-Consul Soler on the "13th of May," and it is remarkable that the Consul (Don Buenaventura Viró) was here at the time, having returned from Mexico on the 9th of that month—Soler being quite a young man, and Viró's nephew.

In consequence of these discoveries I have requested certified copies of the papers of the "*Mariana*" from the Mexican Consulate, and I have applied to that of the United States for official information as to the documents which, it is stated upon the "*Mariana's*" papers, were presented in the former as having emanated from the latter Consulate, and formed the basis of the whole scandalous transaction.

Should I receive these certificates from the two Consulates in time, I shall transmit copies to you by this opportunity of the United States' mail-steamer *viâ* Mobile, for transmission through New Orleans to Vera Cruz, but if not, I shall send them by some sure opportunity, and I propose requesting Commander Napier to return to Laguna forthwith, carrying these proofs for the condemnation of the "*Mariana*" (a) "*Lady Suffolk*," which vessel I should suppose the Mexican authorities will immediately order to Vera Cruz for adjudication.

P.S.—Finding that it would interfere with Commander Napier's to return with the "Daring" to the Gulf of Mexico at present, and that he must proceed to Port Royal, Jamaica, I have determined to send the originally certified documents in the case of the "*Mariana*" (a) "*Lady Suffolk*," *viâ* Mobile and New Orleans, inclosed to you herewith, but left open for Mr. Consul Giffard to communicate them to the authorities of the Mexican Marine at Vera Cruz, so that a Mexican man-of-war may immediately be despatched to Laguna to bring the detained vessel to Vera Cruz for adjudication; and I transmit along with said documents a despatch from M. Carvallo, the present Mexican Consul, to the Secretary of State upon this same subject.

In the hope that all this will be sufficient to condemn the detained ship, and requesting to have the earliest advice of the action assumed by the Mexican authorities upon the receipt of these proofs, I have only to press the necessity of the vessel being brought from Laguna to Vera Cruz without a moment's delay, as Commander Napier does not consider that she is secure at Laguna.

I find upon reading over these papers that I have omitted to notice that the purchaser of the ship, Juan Gutierrez, who is described as a Mexican captain in the papers, is put on the "rol" as "capitan y piloto," native of Cadiz and of the Matricula of Barcelona! a Mexican citizen truly.

Query.—Is there such a person as Ruiz in Mexico, who gave his power of attorney to Don Juan Gutierrez to buy the "*Mary?*" I fancy not.

Inclosure 7 in No. 584.

Acting Vice-Consul Fowler to Consul-General Crawford.

Sir, *Cienfuegos, August* 9, 1853.

MY father having forwarded me a note relative to obtaining certificates concerning the American barque "*Mary*," I now beg to inclose these documents, which I trust will be satisfactory.

I am, &c.

(Signed) GEORGE M. FOWLER.

Inclosure 8 in No. 584.

Certificate.

Consular Agency of the United States of America,
Cienfuegos, August 6, 1853.

I DO hereby certify that no American vessel or ship answering to the following description has arrived at this port during the present year, namely:—Ship "*Mary*," William Smith master, of the burden per register of 410 tons.

In testimony whereof I hereunto affix my signature and seal of office, day and year above mentioned.

(Signed) GEORGE M. FOWLER,
Consular Agent U. S.

Inclosure 9 in No. 584.

Certificate.

(Translation.)

DON JOSEPH MARIA ANTRAN, Gentleman of the Royal and Military Order of San Hermenegildo, Captain in the Navy and of the port of Sagua (Cienfuegos), in the Island of Cuba, &c.

I certify that the American ship "*Mary*," of 410 tons, Captain William Smith, has not entered this port in all the present year; and for the purposes it may be required, and at the petition of Messrs. Fowler and Prosper, merchants, of this place, I have granted the present certificate.

Cienfuegos, August 9, 1853.

(Signed) JOSE M. ANTRAN.

Inclosure 10 in No. 584.

Consul-General Crawford to Mr. Doyle.

Sir *Havana, August* 23, 1853.

I DID myself the honour of transmitting to you, *viâ* New Orleans, certain documents which were calculated to prove the fraud which it would appear had been concocted and put into practice at the Mexican Consulate in this city, with regard to the papers furnished to the notorious slaver the "*Lady Suffolk*."

I have now to acknowledge the receipt of your despatch of the 2nd instant and its inclosures, showing the readiness with which the Mexican Government acceded to your request, permitting the search of vessels suspected of having been engaged in the Slave Trade in the ports of the Republic.

Regretting as I do that the "*Lady Suffolk*" has escaped, I transmit

herewith two more papers which may have been considered as wanting to complete the proofs as to the proceeding of the Mexican Consul in this business, being the certificates of the American Consul and the Captain of the Port of Cienfuegos, to the effect that no such vessel as the "*Mary*," of Boston, William Smith master, was at any time this year in that port.

The false papers issued for the slaver you will observe were signed by Soler as Acting Consul, but M. Viró, the Consul, was here at the time Soler, his nephew, is a mere boy, and Viró no doubt was the responsible party: he arrived here on the 9th of May from Mexico. The false papers are dated the 13th, and he delivered over the office archives, &c., to my respectable friend M. Carvallo on the 17th of that month, previous to his departure for Spain *viâ* the United States.

I have, &c.
(Signed) JOS. T. CRAWFORD.

No. 585.

Consul-General Crawford to the Earl of Clarendon.—(*Received October* 3.)

My Lord, *Havana, August* 29, 1853.

I DID myself the honour of reporting to your Lordship in my despatch of the 2nd instant such circumstances as had come to my knowledge respecting the kidnapping of Indians at certain places in Yucatan, for the purpose of bringing them to this island to be dealt with as slaves, and I also transmitted to your Lordship the copy of a letter which I considered it my duty to address to the Captain-General of Cuba, to which at that time I had not been favoured with any reply.

I have now the honour of laying before your Lordship the further correspondence which has passed with his Excellency upon this subject, and I hope that Her Majesty's Government will approve of my having so clearly expressed to General Cañedo what I conceive to be the meaning of the Treaty for the suppression of the Slave Trade, as expressed in Articles I and II of that of 1835, knowing that some years ago the question was seriously discussed here in the councils of the Government, whether slaves from any other place than the coast of Africa could be brought to this island without such slaves coming under the provisions of the existing Treaties? and as the preponderance of opinion was that the Treaties have reference to negro slaves coming from the coast of Africa only, I ventured at once to express myself against that interpretation of the Treaty which is hinted at by Mr. Secretary Del Busto in his note of the 8th instant, wherein he says, that "I am neither directly nor indirectly authorized to move in cases like the present, which has nothing to do with the Treaties for repression of the Trade in Negroes." The object of the discussion to which I have alluded was that of bringing negroes from Brazil with passports; and it was the opinion of the Junta de Fomento, in the time of Captain-General O'Donnell, that in that manner any number of slaves could be introduced without such introductions coming under the restrictions of the Treaties with Great Britain.

I therefore considered it my duty at once to record a protest against any such interpretation of the Treaty of the 28th of June, 1835; and this it seems has given so much offence to the dignity of the Captain-General, that it is to be made the subject of another complaint against me to the Spanish Government, which intimation of his Excellency's displeasure is accompanied by the threat of returning my letters if I presumed to write again upon such a subject. I hope that, under such circumstances, I may not have incurred your Lordship's blame for having subsequently addressed General Cañedo to acquaint him of the trial and conviction of the confederates of the party here resident who received and retained in slavery the unfortunate victims which Anduze and his associate entrapped, and sent to him, in pursuance of their most unholy practices.

I have the satisfaction of acquainting your Lordship that the Mexican

Consul, M. Ramon Carvallo, is most earnestly engaged in the prosecution of this business, and will insist upon the restitution of the kidnapped Indians; for which purpose I have afforded him all the assistance and information in my power.

I beg leave to lay before your Lordship copies of our correspondence, and I have to state to your Lordship that I have communicated to M. Carvallo Mr. Superintendent Wodehouse's last despatch, with a list of the names of the Indians which is annexed thereto.

I also beg leave to lay before your Lordship a copy of my letter to Her Majesty's Minister at Mexico upon this important subject, which I considered would enable Mr. Doyle to interest that Government to push the matter by more positive instructions to demand the restitution of the Indians, and authorize the Consul to send them back to Yucatan.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 585.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, August* 8, 1853.

YOUR Honour's official letter of the 14th of July last, with the extract of a letter from Her Britannic Majesty's Superintendent in Honduras, announcing the arrest at Belize of an agent who it is said was engaged in collecting Indians of Yucatan to send them to this port, for the purpose of being treated as slaves, has been received by his Excellency the Governor Captain-General, who has charged me to say to your Honour, as I do, that you are to confine yourself entirely in your official operations to that strictly marked out to your Honour by the limited attributions of your character of commercial agent in your capacity of Consul; since neither directly nor indirectly is your Honour authorized to bring up anything like this present, which has nothing to do with the Treaties for suppression of the Traffic in Negroes, which your Honour it seems wishes so to interpret, when none of their Articles can be applied to the present case.

God preserve, &c.

(Signed) LORENZO DEL BUSTO,
Political Secretary.

Inclosure 2 in No. 585.

Consul-General Crawford to the Captain-General of Cuba.

Most Excellent Sir, *Havana, August* 11, 1853.

I HAVE to acknowledge the receipt of a letter dated the 8th instant, which the Political Secretary of this island, Don Lorenzo del Busto, states he has been authorized by your Excellency to address to me, in answer to an official communication which I considered it my duty to make to your Excellency on the 14th ultimo, inclosing an extract from a despatch which Her Majesty's Superintendent at Belize, British Honduras, had addressed to the British Admiral on the West India and North American station, relative to the kidnapping of Indians on the coast of Yucatan, for the purpose of sending them to Havana, to be dealt with as slaves.

I shall take the earliest opportunity of laying this correspondence before Her Majesty's Government.

But in the meantime I feel myself called upon, in the execution of the important duties confided to me by my Government, to protest, as I hereby do most firmly but respectfully protest, against the principle inculcated by your Excellency in Mr. Secretary Del Busto's letter now before me, which involves the erroneous conclusion that the recent most atrocious cases of man-stealing which have been perpetrated by two Spaniards, Don

J. B. Anduze (who is now a prisoner for that offence at Belize), and his associate, Don Francisco Marty y Torrens, of this city, do not come within the provisions of the Treaty of the 28th of June, 1835, between Great Britain and Spain, for the total abolition of the Slave Trade.

I would respectfully refer your Excellency to that Treaty, the first Articles of which are quite conclusive upon this subject.

ART. I. The Slave Trade is hereby again declared, on the part of Spain, to be henceforward totally and finally abolished in all parts of the world.

II. Her Majesty the Queen Regent of Spain, during the minority of her daughter, Doña Isabel the Second, hereby engages that immediately after the exchange of the ratifications of the present Treaty, and from time to time afterwards, as it may become needful, Her Majesty will take the most effectual measures for preventing the subjects of Her Catholic Majesty from being concerned, and her flag from being used in any way in carrying on the Trade in Slaves; and especially that within two months from the ratification she will promulgate throughout the dominions of Her Catholic Majesty a penal law, inflicting a severe punishment on all those Her Catholic Majesty's subjects who shall under any pretence whatever take any part in the Traffic in Slaves, &c.

Your Excellency will perceive from the text of the existing Treaty which I have just quoted that it is the Slave Trade in all parts of the world which is declared to be abolished, and that that Treaty cannot be construed as being limited to, or as having reference only to the Traffic in Negro Slaves, as the Secretary, by direction of your Excellency, insinuates in the observations which have been indulged in with regard to my representation of such acts of slave-trading.

It is my duty to denounce to your Excellency every species of infraction of the existing Treaties for the abolition of the Slave Trade, and I have to express the deep regret I feel that it should ever have become necessary for me to denounce so horrible an instance as that which gave occasion for my letter to your Excellency of the 14th ultimo.

According to the instructions which I hold from Her Majesty's Government, I most respectfully but seriously remonstrate with your Excellency upon the subject of that violation of the Treaty, and I cannot but express my conviction that a very great responsibility will result if such an offence and outrage is suffered to pass unnoticed.

God preserve, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 3 in No. 585.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

Translation.) *Havana, August* 20, 1853.

HIS Excellency the Governor Captain-General has received your Honour's official letter of the 11th instant, in which your Honour improperly interprets the Treaties for the repression of the illicit Trade in Negroes from the coast of Africa. Referring to what I stated to your Honour, by his Excellency's orders, on the 8th of the same, in consequence of your letter of the 14th July last, relative to some Indians from Yucatan who, according to the extract of the letter which accompanied your Honour's said letter from the Superintendent of Belize, were stolen by a certain Anduze, and conveyed in a small vessel called the "*Jenny Lind*," to the neighbourhood of the Islas Mugeres, to be transmitted to this island. His Excellency in consequence orders me to say to your Honour, in answer, that he repels with all the dignity which belongs to him, the crooked interpretation and protest contained in your Honour's said official letter, adding that, besides applying in complaint to the Government of

Her Majesty the Queen our Lady, if upon any occasion your Honour repeats letters upon questions which, like the present, are without your limited sphere, they will be returned to your Honour.

God preserve, &c.

(Signed) LORENZO DEL BUSTO,
Political Secretary.

Inclosure 4 in No. 585.

Consul-General Crawford to the Captain-General of Cuba.

Most Excellent Sir, *Havana, August* 25, 1853.

I HAVE received Mr. Secretary Del Busto's letter of the 20th instant, which he has addressed to me by your Excellency's orders, in answer to my official communication of the 11th, and I regret that your Excellency's reading of the Treaty of the 28th June, 1835, should be so different from what appears to me to be its text and meaning.

I shall take the earliest opportunity of laying this correspondence before Her Majesty's Government, but it will be due to myself that I, in the first instance, disclaim all or even the most remote intention of offending your Excellency's dignity by my letter of the 11th instant.

And with regard to the offence committed by Don J. B. Anduze, the person accused at Belize, British Honduras, of having been engaged in the kidnapping of Indians at the coast of Yucatan, and sending them here to be dealt with as slaves, I have now the honour of laying before your Excellency the inclosed copy of a despatch from Mr. Wodehouse, Her Majesty's Superintendent of that Settlement, acquainting me that said Anduze and another, his associate in that crime, had been tried, convicted, and condemned, by the Grand Court, the one to four, and the other to three years' hard labour.

Your Excellency will find annexed to Mr. Wodehouse's despatch a list* of the names of some of the Indians who, it appeared at the trial of Anduze, had been sent to Havana.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 5 in No. 585.

The Superintendent of British Honduras to Consul-General Crawford.

Sir, *Government House, Belize, July* 15, 1853.

WITH reference to my letter of the 11th ultimo, I have the honour to inform you that the person named J. B. Anduze and another were lately tried here by the Grand Court, for an offence against the 10th section of the Act 5 Geo. IV, cap. 113, were convicted and sentenced, the one to four and the other to three years' hard labour.

It appeared on the trial that thirty Indians were on this occasion sent to Francisco Marty y Torrens, who is said to have a very extensive fishery establishment, something in the nature of a monopoly, at or near Havana. His vessels trade constantly with Yucatan and the neighbouring islands, and there seems to be little doubt that the persons in charge of them take every opportunity of carrying off to Cuba any Indians that may come into their power, for whom they are paid fixed sums by their employer.

I annex a list of the names of some of those sent, in order that you may be enabled to make inquiries respecting them.

I have, &c.
(Signed) F. S. WODEHOUSE.

* 12 men and 1 woman.

P.S.—I have just received from the Commandant of Bacala (the nearest authority of Yucatan) his thanks for the steps taken in this matter.

Names of Indians.

Manuel Yam.	José Pat.
Juan Pacheco.	José M. Toma.
José Cozi.	Manl. Jesus Mora.
Thomas Balam.	Gregorio Paz.
Francisco Yat.	Thomas Toma.
Estevan Paz.	Dolores Balam.
A. Palomo Yam.	

Inclosure 6 in No. 585.

Señor Carvallo to Consul-General Crawford.

(Translation.)

My dear Friend and Colleague, *Havana, August* 13, 1853.

HAVING established before his Excellency the Captain-General of this island, the proper claims for having placed at my disposition the Indians who have been clandestinely abstracted from Yucatan, and conveyed to this city in the fishing-smack "*Alert*," belonging to Don Francisco Marty y Torrens, in consequence of the verbal information which your Honour was pleased to communicate to me respecting such a scandalous act; it is necessary, in order to prove the justice of my assertions, to apply to your Honour that you would be pleased to favour me with all the data in support of this just claim, which I am moving on behalf of these unfortunates, and in aid of the superior dispositions of my Government.

And gladly I avail of this opportunity to anticipate to your Honour my thanks for your condescension, and at the same time the assurances of my highest esteem.

God preserve, &c.

(Signed) RAMON CARVALLO.

Inclosure 7 in No. 585.

Consul-General Crawford to Señor Carvallo.

Sir, *Havana, August* 13, 1853.

I HAVE the honour of inclosing to you, according to your request, a copy of an official letter* which I addressed to his Excellency the Captain-General of this island on the 14th ultimo, transcribing to his Excellency an extract from a despatch which Her Majesty's Superintendent at Belize, British Honduras, addressed to Sir George Seymour, Vice-Admiral Commander-in-chief of Her Majesty's Naval Forces in the West Indies, relative to a most atrocious act of kidnapping Indians on the coast of Yucatan, who were carried to the Islas Mugeres, and there transferred to the Spanish vessel "*Alerta*," to be brought to Havana, where these unfortunate people are placed and held in slavery.

The agent employed for this nefarious purpose by Don Francisco Marty y Torrens of this city, it appears was Don J. B. Anduze or Ancluse, who you will observe has been arrested at Belize, and the letters of his associate were found upon his person.

I have no doubt that you will take such measures as will secure the release of these unfortunate victims, and will cause them to be returned

* Inclosure 1 in No. 567.

to their native land, from whence they have been abducted in so unheard-of a manner; and for this purpose I shall be most happy to afford you my hearty cooperation.

With the expression of my greatest personal esteem,

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 8 in No. 585.

Consul-General Crawford to Mr. Doyle.

Sir, *Havana, August* 23, 1853.

I HAVE the honour of transmitting herewith copies of correspondence which I have had with the Captain-General of this island, and with M. Carvallo, the Mexican Consul, relative to the trade which has been carried on by a certain M. J. B. Anduze, and Don Francisco Marty y Torrens, in human beings from the coast of Yucatan.

You will observe that General Cañedo, in his correspondence, had assumed a position objecting to my interference, the erroneousness of which it became my duty to point out to his Excellency, and I deemed it necessary to protest against such a principle, because it is not the first time that these authorities have tried to pass their reading of the Treaty as having reference to the Slave Trade in negroes from Africa only; and it has even been tried to interpret the Treaty of the 28th June, 1835, as not reaching to prevent the introduction of slaves from Brazil, or from any where else than direct from Africa. I also inclose to you the copy of a despatch dated the 15th ultimo, which I received yesterday from Mr. Wodehouse, Her Majesty's Superintendent at Belize, Honduras, acquainting me of the trial and conviction of Anduze and another, his confederate, in the crime of man-stealing, Anduze being condemned to four years' hard labour—a result which cannot fail to be satisfactory to his Excellency the President of the Republic; and you will observe that by the great vigilance of the British authorities at Belize, a list is subjoined to Mr. Wodehouse's despatch, of the names of 13 of the Indians who are known to have been abducted, which will enable the Mexican Government specifically to demand their restoration.

A copy of Mr. Wodehouse's despatch and list of the Indians, I have furnished to Mr. Consul Carvallo, who, I have reason to believe, is using every endeavour to obtain the release of these unfortunate people, but I have not heard that any measures have been adopted by the Spanish authorities with regard to the offender Marty y Torrens.

I have, &c.

(Signed) JOS. T. CRAWFORD.

No. 586.

Consul-General Crawford to the Earl of Clarendon.—(Received October 3.)

My Lord, *Havana, August* 29, 1853.

IT is my disagreeable duty to report to your Lordship that 360 Bozal negroes were landed near to San Juan de los Remedios on the 12th ultimo.

I have the honour of laying before your Lordship a copy of a correspondence which I have had with the Captain-General respecting this violation of the Spanish law and of the Treaties for suppression of the Slave Trade.

His Excellency, your Lordship will observe, admits that he had previous information of this landing; indeed it could not well be otherwise, as the Lieutenant-Governor would hardly have gone through the form of sending the military after the slaves (which he did not do, by-the-bye, for several days after they had been landed) without reporting the circumstance to head-quarters.

My information, however, states that the officer who commanded the detachment might have captured the whole expedition at the house of Bergara, the person who received them, and who is a notorious agent of the slave-traders in that district, but for the usual persuasive golden reasons in such cases usually abounding.

My denouncement of this infraction, and my having ventured to qualify it as a violation of the law and of the Treaty, has, however, again brought upon me the warning from the Captain-General, which it is by no means agreeable to receive.

The Slave Trade flourishes; every slave that is brought to the coasts of Cuba is landed; the Spanish officers are bribed: the slave-traders interested commit their offences, and repeat them, with the most complete impunity; Commissions sent by the chief authority of the island to investigate such offences are baffled or corrupted; the masters and crews are not punished; the vessels are allowed to escape, or are destroyed by the slavers in the face of the authorities, who never capture the slaves, nor seize the vessels; and when any of the men fall into the hands of justice (the masters and officers always escape), there is never any evidence to convict them upon their trial.

Whilst such a state of things exists (and it has existed until now, and will for ever unless honourable men should be found to administer the laws) it is hopeless to expect anything else than the utter disregard of all good faith, with studied combination to evade and set at naught the solemn obligations which would be binding upon any other people.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 586.

Consul-General Crawford to the Captain-General of Cuba.

Havana, August 21, 1853.

IT has come to my knowledge that, on the 12th ultimo, a disembarkation of Bozal negroes was effected near to San Juan de los Remedios.

These 360 slaves were landed from the anchorage of Yagualay, and were carried from Frances (Cayo) in the launches "*La Abuela*," of which Don Francisco Casillanes is patron, and the "*Chispa*," Don Hipolito Escobar, patron, and they were landed at the wharf of Carrera, in the stores of Messrs. Carretela and Bergara. Besides the crews of the two launches above mentioned, the parties were assisted by the workmen from the estate of Santa Catalina, and the negroes were received and taken to an estate belonging to Don José Bergara, which is situated about a mile from the landing-place.

My informant states that, a few days after these negroes had been in the possession of Bergara, the Lieutenant-Governor sent a piquet of lancers and some infantry in pursuit of them, but that Bergara had succeeded in satisfying the officer in command of the said troops, and had been able to get the negroes out of the way, so that the Lieutenant-Governor's efforts to capture them had been unavailing, and Bergara afterwards disposed of them to Don José Consuegra, of Sancti Spiritus, and to Don Manuel Abreu, of Sierra Morena.

Your Excellency has no doubt received the full particulars of this violation of the law and of the existing Treaties, but I consider it my duty to state to your Excellency what I have learnt with regard to so very scandalous an affair.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 2 in No. 586.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, August* 25, 1853.

HIS Excellency the Captain-General received your Honour's official letter of the 21st instant, relative to a disembarkation of 360 Bozal negroes which took place on the 12th (should have been the 12th ultimo), near to San Juan de los Remedios, as your Honour states.

His Excellency commissions me to state to your Honour that he has informed himself of and appreciates this information, although, from previous information, he had taken measures. It remains for him solely to say to you once more that, not recognizing in your Consular character faculties nor authority of any kind to qualify these actions, but solely to denounce them, he repels that which your Honour has permitted yourself to use, for that reason.

God preserve, &c.

(Signed) LORENZO DEL BUSTO,
Political Secretary.

No. 587.

Consul-General Crawford to the Earl of Clarendon.—(*Received October* 3.)

(Extract.) *Havana, August* 29, 1853.

THE efforts which I have made—I regret to say, without success—to rescue the three British subjects, Charles Robinson, William Hersey, and John Radcliffe, mentioned in my despatch of the 2nd instant, who were sailors on board the slaver "*Jasper*," from their precarious situation at the cays, in the Ensenada de Cortez, will be best shown by the further correspondence I have had with the Captain-General, copy of which I have now the honour of laying before your Lordship.

General Cañedo at first informs me that the men in question had embarked for this port on board of a molasses vessel from Caimito, which was passing the place where they were on or about the 15th to the 20th of July.

Satisfied with that information, I waited till the 10th instant, when, finding that more than twice the time usually taken to navigate from the Ensenada de Cortez to this port had elapsed without my having been able to gain any intelligence of the men's arrival here, I again wrote to the Captain-General, and the Secretary, by his Excellency's orders, answered on the 18th, that what had been said to me on the 3rd was all that had been obtained by the careful search at Cayo de Cortez, which had been made by superior order.

I had, however, in the meantime, received information upon which I could rely, which induced me to think that the men were not sent away from the cays at the time his Excellency was informed they had been embarked, and although I knew from the nature of the circumstances which had come to my knowledge, that the particulars could not be agreeable to him, I found myself compelled, by my apprehensions for the men's lives, to state to General Cañedo what I had learnt, and which had given rise to my suspicions that the three British and three American sailors were still at the cays on the 23rd of July, when a boat with provisions, from the mainland of the island, going to the cays, in which was a letter respecting these very men, was intercepted by the Spanish officer, Lieu-

tenant Don Carlos Adolfo, who was casually at the place upon other service, and to that officer I did not hesitate to refer for corroboration of the facts which had come to my knowledge, and which had created very great anxiety for the safety of the men, which has not been lessened by his Excellency's answer.

Your Lordship will observe that the Captain-General does not deny the information which I found it necessary to detail to him. He does not re-assert that the men had been sent from the cays, where they are known to have been; nor does he say that he had given any other orders for their rescue from their perilous situation, where they are at the mercy of the slave-traders and others, whose interest it is to prevent them from falling into the hands of this Government, well knowing that they would be so many evidences of the criminality of all concerned in the affair of the "*Jasper*" and her cargo of slaves: respecting which it must be borne in mind that no less than four special Commissions had failed to obtain any proofs, but that on the contrary, by all that I have been able to learn of the various "expedientes," the Commissioners have not been able to discover that any such vessel as the "*Jasper*" ever came to the Ensenada de Cortez, and that the proceedings have been ineffectual to prove that any landing of Bozal negroes took place at Bailen, although the circumstances are known to all the inhabitants, and were as public and open to be seen as the sun at noon-day.

Such is the state of things in this island, that no one could be found to declare the truth; whilst at the same time there are three American sailors in the common gaol of this city, who came in the "*Jasper*," and made the voyage round from New York to the coast of Africa, and thence to the Ensenada de Cortez on board her; which three Americans declare that they were forced to remain in the "*Jasper*," after she took in her slaves, and had no alternative but to come with her to this island, where the slaves were landed; and that there were six others, viz., three British and three American sailors with them on board the "*Jasper*," who remained at the cays, when they made their escape in a boat, were captured at Cape San Antonio by the Spaniards, at a place where they went on shore for water, and were sent here as prisoners to stand their trial.

That the sailors subject of my representations to the Captain-General were actually at the cays, there can be no doubt, since his Excellency, in his letter of the 3rd, informs me they had embarked in a molasses vessel for this port, where it is certain that they have never arrived.

It is therefore most unsatisfactory that the Captain-General should not have adopted more energetic measures for the discovery of those unfortunate persons, and perhaps this would warrant the conclusion, either that this Government was not desirous of doing so, or that there is not authority sufficient in the district of Pinar del Rio to capture men belonging to the "*Jasper*," whom it is the object of the slave-dealers to conceal.

Inclosure 1 in No. 587.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, August* 3, 1853.

CAYO CORTEZ having been searched, according to the orders expedited by his Excellency, they did not find the six English and North-American sailors who had been there, as indicated by your Honour in your official letter of the 13th of June (should be July) last, because that said individuals, according to the informations taken, embarked in a vessel loaded with molasses from Caimito, which passed by that place bound to this port about the 15th and the 20th of the said month of July last.

Which, by order of his Excellency, I say to your Honour, for your information, and in answer to your letter of yesterday upon this subject.

God preserve, &c.

(Signed) LORENZO DEL BUSTO,
Political Secretary.

Inclosure 2 in No. 587.

Consul-General Crawford to the Captain-General of Cuba.

Most Excellent Sir, *Havana, August* 10, 1853.

I HAVE to acknowledge to your Excellency the receipt of Secretary Del Busto's letter of the 3rd instant, in answer to the communication which I did myself the honour of addressing to your Excellency the day previous, respecting the British and American sailors who belonged to the slaver "*Jasper*," and who were hidden at one of the cays in the Ensenada de Cortez, which British and American sailors the Secretary states, he has been authorized by your Excellency to inform me, were embarked about the 15th to the 20th ultimo, by a vessel laden with molasses from Caimito, which passed by the cays bound to this port.

Having no means, but through your Excellency, of knowing when these sailors arrived here, or where your Excellency may have ordered them to be confined during their trial, I request that your Excellency will be pleased to inform me where they are, and to give orders that I may be permitted to have access to the three British subjects, C. Robinson, Wm. Hersey, and J. Radcliffe, for the purpose mentioned in my letter to your Excellency of the 2nd instant.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 3 in No. 587.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, August* 18, 1853.

HIS Excellency the Governor Captain-General has desired me to say to your Honour, with reference to your official letter of the 12th instant, that the information which, by his order, I communicated to you on the 3rd, respecting the English and American sailors which your Honour stated were at Cayo Cortez, is all which was obtained by the careful search [or examination] of the cay and bay of that name, which was made by superior order.

God preserve, &c.

(Signed) LORENZO DEL BUSTO,
Political Secretary.

Inclosure 4 in No. 587.

Consul-General Crawford to the Captain-General of Cuba.

Havana, August 22, 1853.

I HAVE the honour of acknowledging to your Excellency the receipt of Mr. Secretary Del Busto's letter of the 18th, in answer to mine (addressed to your Excellency) dated the 10th instant, respecting the six

sailors who belonged to the slaver "*Jasper*," three of whom are British subjects.

I regret to be obliged to state to your Excellency, that I cannot suppose the uncertainty which is apparent with regard to these men's fate will be at all satisfactory to Her Majesty's Government; and I trust that your Excellency will allow me to express the well-founded suspicion which there is that your Excellency's orders for their discovery have been baulked by the parties in the district of Pinar del Rio, who have an interest in keeping back the evidence which these unfortunate six men would afford of their criminality.

Your Excellency was informed that about the 15th to the 20th ultimo the six sailors in question had been embarked for this port from the Ensenada de Cortez, on board a molasses vessel from Caimito, which passed that way.

I have reason to think that that information given to your Excellency was wholly devoid of foundation: first, because, had the men left the Ensenada de Cortez at the time mentioned, they must long ago have arrived here; and, secondly, because I have information that, on or about the 22nd to the 24th ultimo, the said sailors were still hidden at one of the cays.

I beg leave to refer your Excellency to that able and intelligent officer Don Carlos Adolfo, to whom was confided the service of the capture of the crew of the Spanish slave-schooner the "*Nueva Empresa*."

That officer, whilst engaged upon the service I have just mentioned, intercepted a boat which was carrying provisions from the shore to the cays, for those very men who, your Excellency was informed, had been sent away some days previously; and he also intercepted a letter from Don Luis Pimienta, of the hacienda Grifa, to his nephew Don Pio Dias, the latter being then at the cays. In that letter Pimienta desires Dias to take the men away as soon as possible, because he (Pimienta) had information that they were in danger of being captured by your Excellency's orders.

The officer Don Carlos Adolfo having inclosed the intercepted letter to the Lieutenant-Governor, his messenger was intercepted by armed men on his way to Pinar del Rio, and brought back, after a detention of some hours, to the place where Lieutenant Don Carlos Adolfo was; and that officer was obliged, by threats and superior numbers, to allow the letter from Pimienta to Dias, which had been intercepted in the provision-boat, to be taken out of his despatch to the Lieutenant-Governor, and another letter, with writing of quite a different nature, to be substituted; which new letter, written on the spot by a person called Don Gil Dias, was inclosed in the despatch from Don Carlos Adolfo to the Lieutenant-Governor, and then forwarded to Pinar del Rio.

Under these circumstances, I appeal to your Excellency for the protection of the sailors in question, especially as regards the British subjects Robinson, Hersey, and Radcliffe, whose situation I cannot but consider as being extremely perilous in the hands of such lawless parties as, it appears, are the inhabitants of that part of the district of Pinar del Rio who are concerned in the Slave Trade.

It would be presumption on my part were I to suggest to your Excellency how these unfortunate sailors of the "*Jasper*" are to be rescued, having no doubt whatever that your Excellency will dictate the most efficacious and energetic measures for that purpose, and assuring your Excellency that the information which I have upon this subject may be most implicitly relied upon.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 5 in No. 587.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, August* 25, 1853.

HIS Excellency the Governor Captain-General has received your Honour's official letter of the 22nd current, relative to three sailors, which your Honour says are British subjects belonging to the slaver "*Jasper*," who, being at Cayo Cortez, are said to have been embarked on board a molasses vessel from Caimito. In answer, I make known to your Honour, by his order, that, having said to you that the Royal Audiencia has taken cognizance of this affair, there is nothing to add, if it is not to repel the qualification of "depraved," which your Honour allows yourself to make as to the inhabitants of the jurisdiction of Pinar del Rio, whose conduct has to be appreciated by the authorities and competent tribunals, and never by foreign agents, to whom such a proceeding in no case belongs.

God preserve, &c.

(Signed) LORENZO DEL BUSTO,
Political Secretary.

No. 588.

Consul-General Crawford to the Earl of Clarendon.—(*Received October* 3.)

My Lord, *Havana, August* 30, 1853.

I BEG leave to lay before your Lordship the copy of a letter which, on the 21st instant, I addressed to the Captain-General respecting another landing of 400 Bozal negroes brought by the Spanish schooner "*Nueva Empresa*," Dominguez, master, which vessel arrived at the Ensenada de Cortez, grounded on the same shoal where the burnt remains of the "*Jasper*" may be found, and was there set fire to by the slavers after the landing of the negroes.

The master Dominguez came up to this city, as well as the chief mate, but the rest of the crew were captured at the cays; and it was upon this service Lieutenant Don Carlos Adolfo was when he intercepted the boat with provisions, and the letter respecting the sailors belonging to the "*Jasper*," referred to in my previous despatch of yesterday's date.

The captured crew of the "*Nueva Empresa*" were sent up to this city, and it appears, by what the Captain-General says in the answer which I received from the Political Secretary, are undergoing their trials before the Royal Audiencia. They will probably be sentenced to the punishment prescribed by the Penal Law; but the master and all the others concerned in the "*Nueva Empresa*" have effected their purpose with impunity, and are, no doubt, ready, if not actually again engaged in another expedition to the coast of Africa.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 588.

Consul-General Crawford to the Captain-General of Cuba.

Havana, August 21, 1853.

IT has been reported to me that the Spanish schooner "*Nueva Empresa*," Dominguez, master, arrived at the Ensenada de Cortez a few days previous to the 24th ultimo, and was set fire to at a place within a few hundred yards of where the slaver "*Jasper*" was burnt a few weeks previously; the said schooner the "*Nueva Empresa*" having landed 400 Bozal negroes from the coast of Africa. And as I understand that the

crew (the master excepted) have all been captured and brought prisoners to this city to await their trial, I request that your Excellency will be pleased to inform me whether the information which I have received is correct, and also whether it is true that the "contramestre" of said schooner had offered to turn evidence for Government in case that hopes were held out to him that he should be recommended to the mercy of Her Catholic Majesty, upon the conviction of his associates.

God preserve, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 2 in No. 588.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, August* 25, 1853.

HIS Excellency the Governor Captain-General has received your Honour's official letter of the 23rd (should be the 21st) instant, relative to a schooner called the "*Nueva Empresa,*" which your Honour says landed 400 Bozal negroes, a few weeks previous to the slaver "*Jasper,*" and respecting various seafaring persons who were apprehended at Cayo Cortez.

In answer, he orders me to say to you that this affair is under the cognizance of the Royal Audiencia, and in the present state of the process it is not possible for him to give you the information you desire.

God preserve, &c.

(Signed) LORENZO DEL BUSTO,
Political Secretary.

No. 589.

Consul-General Crawford to the Earl of Clarendon.—(*Received October* 3.)

My Lord, *Havana, August* 31, 1853.

I HAVE the honour of acknowledging the receipt of your Lordship's despatch dated the 6th ultimo, transmitting a copy of a despatch and its inclosures, which your Lordship had received from Her Majesty's Chargé d'Affaires at Madrid, and a copy of your Lordship's answer thereto.

I have seen with the greatest possible satisfaction the assurances of good intentions which are contained in the manifestations of the Spanish Government, as to the persecution of those engaged in a traffic so illegal and immoral, and as M. Vasquez Queipo's note to the Secretary of State refers to the previous communications which had passed relative to the disembarkation of slaves, and reiterates General Cañedo's announced determination to do everything in his power to put down the Slave Trade, I would respectfully submit to your Lordship the urgency there is that the Spanish Government should proceed to alter the Penal Law, doing away with that clause which goes to protect the owners of estates from the capture of recently-landed negroes, if once they are upon their premises, and also to suggest that it would be expedient, for the protection of the planters, that the Spanish Government should, at the same time, pass a law for the registration of the slaves throughout the island, so that there might be no possibility of disputing as to the recently-introduced or Bozal negroes, and the registered slaves upon the estates, which at any time may be subjected to the search of the Government officers, in virtue of the authority recently assumed by General Cañedo, sanctioned by the Government of Spain; but which, as I have already done myself the honour of explaining to your Lordship in my despatch dated the 9th instant, being entirely contrary to the provision expressed in the last paragraph

of Titulo 2 of Article IX of the Law of the 5th of March, 1845, commonly called the Penal Law, under the Treaty with Great Britain for suppression of the Slave Trade, is a proceeding which is considered by the Royal Audiencia as illegal, placing the Captain-General in a most unpleasant and embarrassed position.

I have, &c.
(Signed) JOS. T. CRAWFORD.

No. 590.

Consul-General Crawford to the Earl of Clarendon.—(*Received October* 3.)

(Extract.) *Havana, August* 31, 1853.

I HAVE the honour of acknowledging the receipt of your Lordship's despatch dated the 16th ultimo, transmitting, for any observations which I may have to make thereon, the copy of a despatch which your Lordship had received from Mr. Otway, Her Majesty's Chargé d'Affaires at Madrid, inclosing copy of a letter from General Lersundi, the Spanish Minister for Foreign Affairs, who states that the information which I am in the habit of communicating to the Captain-General of Cuba respecting the landing of negroes frequently turns out to be incorrect, and also transmitting to me a copy of your Lordship's despatch to Mr. Otway upon this matter.

I have been considerably surprised at General Lersundi's note of the 24th of June, inclosure of Mr. Otway's despatch to your Lordship.

The Spanish Secretary of State could hardly have taken up the subject of attempting to discredit my denouncements to the Captain-General of Cuba more unfortunately than he has done, founding his assertions with regard to my alleged inaccuracy, no doubt, upon the statements of General Cañedo.

The first case alluded to is that of the "*Cora.*" Her arrival was denounced by me on the 2nd of June, 1852, as having arrived at Cayo Frances with a cargo of Bozal negroes about four days previously, and I stated that the celebrated Portuguese slave-trader Don Antonio Augusto Botelho figured in the transaction in connection with the establishment of Don José Joaquim Carrera at Los Perros.

The slaves were landed safely and with impunity from the "*Cora,*" and on the 9th of July afterwards I denounced her as having landed the cargo which I had alluded to on the 2nd of the previous month, and I informed his Excellency that the said vessel had again been fitted out at Los Perros, and was ready to sail upon another slaving voyage.

It was not long afterwards that I learnt the "*Cora*" had been taken to San Juan de los Remedios, which is the town of which Cayo Frances forms the port, and she was subsequently condemned and sold by the Court at this place, as I have understood, because of the slave-fittings which were found on board her.

The "*Cora*" is the same brig which, under the name of the "*Casualidad,*" was detained, after she had been so sold by the Marine Court, having been fallen in with by Her Majesty's steamer "Buzzard," with evident remainders of the slaver-fittings on board, although these were not found sufficient to condemn her in the Mixed Court at this place; it being remarkable that the same Don José Joaquim Carrera, mentioned as the owner of the establishment at Los Perros, where so many of the slavers sent from this island are known to have completed their slaver equipments, was the person who appeared as the owner, to defend the "*Casualidad*" upon the trial here.

The next case is that of the "*Paquete Canario,*" and your Lordship is aware of the character of that vessel by the denouncements which have been made of her by Her Majesty's Chargé d'Affaires at Rio de Janeiro, as being on the 7th of March last at Monte Video, about to sail for England, and that after having discharged her lawful cargo there, she was coming to this island to be employed in the Slave Trade.

When this vessel sailed before from this island, it is not at all unlikely that she cleared in ballast for the Cape Verde Islands, and General Lersundi stating this as a proof of the legality of her proceedings only shows how little outward appearances are to be trusted, since the very fact of a vessel sailing to the Canary Islands "in ballast" is enough to create suspicion; and if the truth could be known, the "*Paquete Canario*" upon that occasion probably carried her ballast in leaguers, which were no doubt also of great use to her upon her subsequent passage to the coast of Brazils.

Respecting the sloop "*Reforma*," I have no subsequent information, but as regards the "*Jasper*" I am able to give all the details.

That vessel sailed on the 22nd August, 1852, from this port, where, from the antecedents of her character, she had been closely watched both by me and by the American Consul. I had every reason to believe, notwithstanding that she cleared for New York and took a passenger for that place, that she would land the passenger at Cay West, and proceed to take in her slaver-fittings at some of the cays off the coast of this island to the eastward of Cardenas, and would thence proceed to the coast of Africa. On her way to Cay West, however, the "*Jasper*" was dismasted and otherwise very much damaged, so that she was temporarily repaired at the cay, and obliged to go in reality to New York.

From that port the "*Jasper*" sailed to the coast of Africa, as has been fully reported to your Lordship. She brought from thence a cargo of Bozal negroes to the Ensenada de Cortez. The slaves were landed with safety, and until now with complete impunity of all those concerned, in a transaction the fullest details of which I could if necessary furnish, and which satisfy me of the connivance of the Sub-delegado of the Marine, who was cognizant of the arrival of the expedition, and was aware of the landing of the slaves and of the burning of the ship which had grounded on the shoal called the Viril. The connivance of the Lieutenant-Governor of the district of Pinar del Rio and of numerous other of the Spanish officers, as well as of four successive commissions specially appointed by his Excellency the Captain-General, and sent into the aforesaid district to inquire into the circumstances, but none of which have, so far as I have been informed, succeeded in obtaining legal proofs either of the arrival of the "*Jasper*," or the disembarkation of her cargo of Bozal negroes—facts known to almost every inhabitant of the district; but such is the state of things in this island, that no sort of judicial evidence has been obtained by these efforts of the Captain-General; and yet, strange to tell, there are now in this gaol three American sailors who were on board the "*Jasper*" on her voyage round from New York to the coast of Africa, and thence to the Ensenada de Cortez.

In conclusion, I beg to assure your Lordship, that difficult as it is for me to obtain information respecting the operations of the slave-traders, I am most exceedingly careful of acting upon anything which I think may be incorrect; and only in one instance, viz., on the 4th of May last, when I denounced the disembarkation of 800 slaves at a place between Sagua and San Juan de los Remedios, and the result of my inquiries being that my information was unfounded, I so stated it to be in an official letter which I addressed to General Cañedo on the 21st idem: that instance I admit.

No. 591.

Consul-General Crawford to the Earl of Clarendon.—(*Received October* 3.)

My Lord, *Havana, September* 1, 1853.

I BEG leave to acknowledge the receipt of your Lordship's despatch dated the 28th of July, and with regard to the state of the Slave Trade, I have now the honour of stating to your Lordship that since it has become generally known that the Audiencia would view as illegal the Captain-General's persisting in following newly-landed negroes, and capturing them upon the estates, in defiance of Article IX of the Penal Law, the panic which had seized the slave-traders has almost entirely subsided; and I am very apprehensive that if there is not an alteration of the law alluded to, and full authority given to the Captain-General to follow and capture, wherever they may be, all newly-imported slaves, the efforts of his Excellency to put down the Traffic will be in vain; and I beg leave very respectfully to bring under your Lordship's notice the good effects which would result from a registration of all the slaves at present in the Island of Cuba, as a measure which, whilst it protected the planters in the possession of the slaves which they now have, would facilitate the action of the authorities in detecting those which may in future be illegally introduced.

I have, &c.
(Signed) JOS. T. CRAWFORD.

No. 592.

Consul-General Crawford to the Earl of Clarendon.—(*Received October* 3.)

My Lord, *Havana, September* 1, 1853.

I HAVE the honour of acknowledging the receipt of your Lordship's despatch dated the 1st ultimo, acquainting me that Her Majesty's Government approve the letters which I addressed to the Captain-General of Cuba respecting the disembarkation of four cargoes of negroes, referred to in my despatches of the 20th and 24th of July last.

It is particularly gratifying to me thus to receive your Lordship's high approbation of the performance of the important duties confided to me at this place, and I beg leave to assure your Lordship that I shall not be deterred by the discourtesy of General Cañedo from performing those duties conscientiously and to the best of my ability, although I must appeal to your Lordship for protection from the insulting manner in which my official communications are constantly responded to by the Captain-General.

I have, &c.
(Signed) JOS. T. CRAWFORD.

No. 593.

Consul-General Crawford to the Earl of Clarendon.—(*Received October* 3.)

My Lord, *Havana, September* 7, 1853.

I HAVE the honour of laying before your Lordship the copy of a letter which I addressed to General Cañedo on the 31st ultimo, acquainting his Excellency that I had received information from Cadiz, by the Spanish mail-steamer which arrived at this port on the 29th, that a barque called the "*Republic*," two brigs, and two schooners, had been purchased at and had been dispatched from New York for the coast of Africa, and were intended to bring Bozal negroes to this island; the parties who are

interested in the last four mentioned of these expeditions being Manuel José de Costa Lima Vianna, a Portuguese, who sent the vessels from New York; Manuel Basilio da Cunha Reis, who will dispatch the cargoes of slaves from Africa; and Don Salvador de Castro, of Trinidad, in this island, the agent here in Cuba.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 593.

Consul-General Crawford to the Captain-General of Cuba.

Havana, August 31, 1853.

I HAVE the honour to acquaint your Excellency that by the mail-steamer from Cadiz, which arrived in this port on the 29th instant, I have received information that a ship or barque called the "*Republic*," which was purchased and fitted out for the Slave Trade, sailed from New York some months ago for the coast of Africa, may very soon be expected on the coast of this island with a cargo of Bozal negroes, which are intended to be landed near to Trinidad on the south side of this island.

I have also received information that two brigs and two schooners were purchased and dispatched from New York in the months of June and July last for Ambriz and Cabenda on the coast of Africa, for the purpose of bringing negro slaves to this island; that the probable places where said vessels will attempt to land their cargoes are the neighbourhood of Trinidad, Bahia de Cadiz, Ortigosa, or Ensenada de Broa; that the parties who are interested in these last expeditions are Portuguese, called Manuel José da Costa Lima Vianna, who is in New York, and Manuel Basilio da Cunha Reis, who will dispatch the cargoes from the coast of Africa, and that the agent in this island, who is to receive these cargoes expected by the barque "*Republic*," the two brigs and the two schooners, is a certain Don Salvador de Castro; which information I hasten to communicate to your Excellency for such purposes as may be deemed expedient to frustrate the intentions of the slave-traders.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 2 in No. 593.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, September* 6, 1853.

HIS Excellency the Governor Captain-General has informed himself of the official letter your Honour addressed to him on the 31st of last August, communicating to him the notice which your Honour says you received by the mail-steamer from Cadiz, which arrived in this port the 29th of said August, as to a ship or barque called the "*Republic*," two brigs, and two schooners, having been purchased and got ready for the Slave Trade at New York, from whence they sailed with the intention of landing upon the coast of this island the slaves they bring; and by order of his Excellency I say so to your Honour in answer.

God preserve, &c.
(Signed) LORENZO DEL BUSTO,
Political Secretary.

No. 594.

The Earl of Clarendon to Consul-General Crawford.

Sir, *Foreign Office, October* 10, 1853.

WITH reference to your despatch of the 4th of July last, in which you complain of the discourtesy of Captain-General Cañedo's behaviour towards you, I have to inform you that I instructed Her Majesty's Chargé d'Affaires at Madrid to address a representation upon the subject to the Spanish Government; and I now transmit to you a copy of a despatch* from Mr. Otway, stating that the Spanish Minister for Foreign Affairs had promised him to issue private instructions to the Captain-General of Cuba to treat you with the consideration and courtesy due to your official position.

I am, &c.
(Signed) CLARENDON.

No. 595.

Consul-General Crawford to the Earl of Clarendon.—(Received October 17.)

My Lord, *Havana, September* 16, 1853.

THE brig "*General Pierce,*" under American colours, arrived here from Santiago de Cuba on the 23rd of June last, and sailed from this port on the 11th of July, having been cleared out in ballast for Pensacola, said brig reported as being 237 tons per register.

This vessel was denounced to me as suspicious by Mr. Consul Forbes, and in consequence I had closely watched her while she was in this port; but there was nothing observable to confirm the surmises of Her Majesty's Consul at Santiago. On the contrary, she was advertised here for freight or charter, was not engaged, and finally sailed for Pensacola as above-mentioned.

It however came to my knowledge, the day before yesterday, that the "*General Pierce*" has proceeded to the coast of Africa, to be employed in the Slave Trade; but whether her slaving fittings were taken on board at Pensacola, or at some other place, I have been unable to learn.

The parties concerned in this expedition are, as I understand, the nephews of Don Joaquim Gomez; and the "*General Pierce*" is very probably one of the vessels in which Don Rodrigo José Abreu has an interest, Gomez's nephews being his agents here.

I have, &c.
(Signed) JOS. T. CRAWFORD.

No. 596.

Lord Wodehouse to Consul-General Crawford.

Sir, *Foreign Office, October* 21, 1853.

YOUR despatch of the 9th of August states the circumstances under which Don Julian Zulueta was released from the imprisonment to which he was subjected in June last; and with reference to this affair I am directed by the Earl of Clarendon to request that you will inform him whether it is true, as reported in the English newspapers, that a public dinner was given to M. Zulueta upon his liberation from prison.

I am, &c.
(Signed) WODEHOUSE.

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* No. 456.

No. 597.

The Earl of Clarendon to Consul-General Crawford.

Sir. *Foreign Office, October* 24, 1853.

I HAVE received your despatch of the 28th of August; and I have to acquaint you that Her Majesty's Government entirely approve the active measures which you took, in order to expose the fraudulent means by which the owners of the notorious slaver "*Lady Suffolk*" were enabled to procure Mexican papers for that vessel.

I am, &c.
(Signed) CLARENDON.

No. 598.

Consul-General Crawford to the Earl of Clarendon.—(*Received October* 24.)

My Lord, *Havana, September* 29, 1853.

I HAVE the honour of acknowledging the receipt of your Lordship's despatch dated the 30th ultimo, along with which your Lordship has been pleased to transmit a copy of a despatch which you had addressed to Her Majesty's Chargé d'Affaires at Madrid, instructing him to make a representation to the Spanish Government upon the subject of my despatch of the 4th of July last, respecting the tone and style of the answers returned by the Captain-General of Cuba to the communications which in the performance of my duty I had addressed to him with regard to the Slave Trade.

I beg to express to your Lordship the sense of gratitude which I feel for the protection thus extended to me; and hope that your Lordship's remonstrance will prove effectual and prevent a repetition of such offences, for which no occasion has been given.

I have, &c.
(Signed) JOS. T. CRAWFORD.

No. 599.

The Earl of Clarendon to Consul-General Crawford.

Sir, *Foreign Office, October* 25, 1853.

I HAVE received your despatch of the 29th of August, inclosing copies of your correspondence with the Captain-General of Cuba respecting the trial and conviction at Belize of a person named Anduze, who was found guilty of decoying native Indians from Yucatan, and of sending them to Havana to be dealt with as slaves; and I have to acquaint you that Her Majesty's Government approve of your having pointed out to the Captain-General that he was not at all borne out in assuming that the Treaty of June 1835, between Great Britain and Spain, only relates to the Trade in Negroes imported from the coast of Africa.

I am, &c.
(Signed) CLARENDON.

No. 600.

The Earl of Clarendon to Consul-General Crawford.

Sir, *Foreign Office, October* 26, 1853.

WITH reference to your despatch of the 29th of August, I have to inform you that I approve of your having applied to the Captain-General of Cuba to afford you the means of having access to the three British subjects who belonged to the "*Jasper*," and who were supposed to be concealed in the Ensenada de Cortez; and I have to acquaint you that I have sent a copy of that despatch to the Lords Commissioners of the Admiralty, and have moved their Lordships to direct that an officer commanding one of Her Majesty's ships of war on the West India station may be ordered to concert with you the best means of rescuing and disposing of the three British subjects in question.

I am, &c.
(Signed) CLARENDON.

No. 601.

The Earl of Clarendon to Consul-General Crawford.

Sir, *Foreign Office, October* 27, 1853.

I HAVE received your despatch of the 7th ultimo, inclosing a copy of a letter which you addressed to the Captain-General of Cuba, respecting five slave-vessels which had sailed from New York for the coast of Africa, with the intention of conveying thence cargoes of slaves to Cuba; and I have to inform you that I approve the representation which you have made to the Captain-General upon this matter.

I am, &c.
(Signed) CLARENDON.

No. 602.

Consul-General Crawford to the Earl of Clarendon.—(*Received October* 27.)

My Lord, *Havana, September* 29, 1853.

I HAVE the honour of acknowledging the receipt of your Lordship's despatch dated the 30th ultimo, transmitting an extract of a note which Her Majesty's Chargé d'Affaires at Madrid had received from the Spanish Minister for Foreign Affairs, calling his attention to the language used in a communication which was addressed to the authorities of Cienfuegos, by a person named John Quesseil, who represented himself to be my agent.

I have the honour of stating, in obedience to your Lordship's desire that I should transmit to your Lordship any observations which I might have to make with regard to the said extract, that the first intelligence I ever had of the existence of such a person as John Quesseil, either at Cienfuegos or elsewhere, I received by reading your Lordship's despatch now before me.

Mr. James Hart Fowler being the British Vice-Consul at Cienfuegos, who has been duly recognized by his Excellency the Captain-General, my communications with that place are with him exclusively, and I have had every reason to be satisfied with the manner in which he has performed his duties.

I most assuredly never would for a moment have thought of appointing an agent there, or elsewhere, but in accordance with my instructions, and having the previous approbation of your Lordship, as well as the sanction of the Captain-General, as prescribed in such cases.

Having given this assurance to your Lordship, that whatever, or

whoever, this John Quesseil may be, as a zealous abolitionist, which has precipitated him into great imprudence with these authorities, he is no delegate of mine, and therefore the explanations called for by your Lordship become unnecessary; but I consider it as due to my own character, that I should respectfully bring under your Lordship's consideration the vexatious nature of this complaint of the Spanish Minister.

Had the Captain-General thought proper to address an inquiry to me respecting this John Quesseil's impertinence, at the time of his interference, I should very easily have satisfied his Excellency that that person was assuming a position wholly unauthorized, and that I had no knowledge of him whatever.

General Cañedo, however, whatever his motives may have been, preferred to elevate the circumstance, in the nature of a complaint to his Government, upon which complaint the Spanish Minister has acted in the same spirit, and has availed himself of the occasion to charge me with "arrogating to myself every sort of authority for interference in questions as to negroes; and besides, of assuming that I have a right, against the established laws, to delegate my powers to other agents, and of such a description as Quesseil appears to be."

I humbly venture to express my confident expectation that your Lordship will not allow these charges, wholly gratuitous, of the Spanish Minister, to pass unnoticed.

I have been most careful, upon every occasion, to restrict my interference in matters concerning the Slave Trade to the boundary of my instructions; even in so doing I have had to submit to receive from the Captains-General of Cuba the most discourteous treatment in their official correspondence, but I have been encouraged under such disgusts by the constant approbation which I have had the honour of receiving from Her Majesty's Government, and that Government will certainly not allow that my official character shall be vilified, as it has been, by the Spanish Minister, in the note of which an extract has been transmitted to me by your Lordship.

I have, &c.
(Signed) JOS. T. CRAWFORD.

No. 603.

Consul-General Crawford to the Earl of Clarendon.—(*Received October* 27.)

My Lord, *Havana, September* 30, 1853.

I HAVE the honour of laying before your Lordship a translation of a correspondence which I have had with the Captain-General of Cuba, respecting a landing of 600 Bozal negroes which it has been reported to me took place on the south side of this island, and, according to one of my informants, at the Ensenada de Broa, in the early part of this month; and with respect to information which I received of the sending, by the railroad from this place, in parts, of a crew intended for a slaver vessel which was about to be dispatched from some place on the south side of this island for the coast of Africa, and which I conjectured might be the same from which the 600 Bozal negroes had previously been disembarked.

We have in these occurrences the most incontestable proofs that the Slave Trade, so far from being checked, is being carried on with the utmost confidence and apparent success.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 603.

Consul-General Crawford to the Captain-General of Cuba.

Havana, September 24, 1853.

I HAVE received information that, about the early part of this month, a cargo, consisting of 600 Bozal negroes, were disembarked at a place on the south side of this island.

One of my informants states that this landing was effected at the Ensenada de Broa, but I have been unable to learn any further particulars.

I have, however, received intelligence that yesterday five men were dispatched by the railroad cars to Batabano, or to some other place on the south coast (the station Los Palos of the said railroad being, as I understand, the nearest to the Ensenada de Broa); that on the previous day some more men were sent by the same conveyance; and that, on Monday next, the remainder of the men necessary for completing the crew of a slaver, which is ready to sail, are to be sent by the same railroad to the place where the same slaver vessel is now lying.

The parties who are engaged in this transaction are, I understand, the Pratico-Mayor, Don Antonio el Sebillano, who is employed to procure and send off the men for this expedition by Don Francisco Repoll ó Quinco el Rebiroso.

I am induced to suppose that these men are being sent to equip the same slaver which is reported to have landed the Bozals alluded to in the first part of this letter.

And I hasten to communicate this intelligence to your Excellency, for such purposes as your Excellency may think necessary under the circumstances.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 2 in No. 603.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, September* 25, 1853.

HIS Excellency the Captain-General received your Honour's official letter of this day, acquainting him that you had been informed that a cargo of 600 Bozal negroes had been disembarked at the Ensenada de Broa, respecting which you had found it impossible to find out any other particulars, although you say that you have information that, at the same place, a slaver is getting ready which your Honour supposes to be the same which effected the landing.

In answer, his Excellency desires me to say to you that the very contents of your Honour's letter induces him to think that the information given to you is inexact, and he is confirmed in that opinion by the fact that although the jurisdiction of Guines is a point in such immediate contact with this capital, he has not heard even the slightest rumour upon this subject, but that, notwithstanding, he has issued the strictest orders that, with the greatest activity, the affair be inquired into, and to proceed in the case if it turns out to be true.

God preserve, &c.

(Signed) LORENZO DEL BUSTO,
Political Secretary.

Inclosure 3 in No. 603.

Consul-General Crawford to the Captain-General of Cuba.

Havana, September 26, 1853.

I HAVE the honour of acknowledging to your Excellency the receipt Mr. Secretary Del Busto's letter of yesterday's date, in answer to my communication of the previous day's date, in which I reported to your Excellency the information which I have received respecting a cargo consisting of 600 Bozal negroes which had been landed somewhere on the south side of this island, and stating to your Excellency that I had not been able to obtain the particulars, but that one of my informants had asserted that this disembarkation had been effected at the Ensenada de Broa.

Your Excellency having much surer means of obtaining information, and the Secretary having stated in the answer now before me that my notice as to the disembarkation of the said Bozals at the Ensenada de Broa is incorrect, I must presume that the landing referred to was effected at some other place.

But one of the objects of my official letter to your Excellency was, to bring under your notice the fact that a slaver is about to be dispatched from some part of the south coast of this island, part of the crew having been sent from hence by the railroad; and I was in hopes that, as the remainder of the said slaver's crew were to be sent off this morning from the railroad station, your Excellency would be enabled to discover, either by interrogating the party indicated as being employed to dispatch the said slaver's crew, who would no doubt be at the terminus, or, if your Excellency should so order it, that an agent of the police should accompany the said crew to their destination on the coast, by which means the slaver might be detected, and so have ascertained whether or not my suspicions are well founded, that it is the same vessel from which the 600 Bozals had already been landed that is now about to depart upon another voyage.

I have, &c.

(Signed) JOS. T. CRAWFORD.

No. 604.

Consul-General Crawford to the Earl of Clarendon.—(*Received October* 27.)

My Lord, *Havana, September* 30, 1853.

I HAVE the disagreeable duty of reporting to your Lordship another violation of the Treaty for suppression of the Slave Trade which has been successfully accomplished at the Ensenada del Carmelo, on the south side of this island, where 260 slaves were landed on the 14th or 15th instant.

These Bozals were taken to the sugar estate of Don Manuel Pastor, called Bagaes, the owner, at present in Spain, having lately been created Conde of that title; and I understand that the Slave Trade was formerly, in the time of Captain-General the Count of Alcoy, carried on at Bagaes to a great extent, and that there is for that purpose every convenience, a canal or ditch having been cut from the estate to the sea-shore, by which the slaves are brought up in boats or canoes.

As the agent for this cargo was Rubiroso, who appears to be the agent for the Portuguese or Brazilian Company of slavers, I should suppose that this was one of their expeditions; but I have not been able to obtain any certain information respecting the vessel or the colours she sails under.

Your Lordship will not fail to observe that this operation has been accomplished with complete success and impunity, notwithstanding the boasted vigilance of the Captain-General, and that, as all the slaves have been sold and resold in small parcels, there is but little hope of any good resulting from the measures which the Secretary informs me have now been adopted by his Excellency.

I have, &c.

(Signed) JOS. T. CRAWFORD

Inclosure 1 in No. 604.

Consul-General Crawford to the Captain-General of Cuba.

Havana, September 27, 1853.

I HAVE received information upon which I think I can fully rely; and in consequence I have the disagreeable duty of reporting to your Excellency that, about the middle of this month, 260 Bozal negroes were landed at the Ensenada del Carmelo, and taken from thence to the sugar-estate Bagaes. My informant states that the party interested is called Rubiroso; that these negroes were sold by him to some persons called Montez y Fresnada, who resold them to others, and that the prices were 21 to 27 ounces for feeble and inferior, and 32 to 37 ounces for the strong and able-bodied.

I have not been able to find out the name of the vessel; but your Excellency will have no difficulty in obtaining all the necessary information which may not already have come to your knowledge respecting this transaction, which appears to have been so successfully accomplished.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 2 in No. 604.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, September* 29, 1853.

HIS Excellency the Governor Captain-General received your Honour's official letter of the 27th current, informing him that about the middle of this month 260 Bozal negroes were landed at the Ensenada del Carmelo; and his Excellency having immediately given the necessary orders, that if this act is true, it shall be proceeded against in a corresponding manner, I am to say so to you by his Excellency's order in answer.

God preserve, &c.

(Signed) LORENZO DEL BUSTO,
Political Secretary.

No. 605.

Consul-General Crawford to the Earl of Clarendon.—(*Received October* 27.)

(Extract.) *Havana, October* 1, 1853.

I CERTAINLY did not expect that I should so soon again have had to report to your Lordship another most flagrant violation of the Treaty for suppression of the Slave Trade.

One hundred and eighty Bozal negroes were landed on the 15th instant from on board of a schooner at the Ensenada de Cortez, and were taken to the estate called the Grifa, from whence they have been sold publicly. The vessel was burnt at the Cayos de Cortez, after the disembarkation of the negroes had been effected, as was the case with the "*Jasper*" and the "*Nueva Empresa*," and the three hulks of those slavers are to be seen lying very near to each other—a sad memento of the disregard of the law and of the authorities under the Captain-General's orders, which leaves room for inferences hardly mistakeable, and which proves, in the fullest manner, the want of good faith of the Spanish authorities, and that there is no intention whatever of putting an end to the

Slave Trade, all their protestations and professions to that effect being utterly worthless; for we have, in this instance, the third offence which has been committed at the same place with impunity since May last; so that my informants might well write to me, "that this third violation proves the contempt with which the superior authority of the island is treated, and the connivance of the officers and other employés of the Government." And he adds, "that the department of Guane (where these most scandalous abuses have been committed) is being converted into an arsenal for burnt slavers; that nobody there pays any respect to superior orders, which are all ridiculed; and that that part of the coast is being transformed into a school for pirates, who will, some day or other, be afflictive of humanity."

Under these circumstances, I hope that your Lordship will approve of the rather strong expressions which I have made use of in my letter of yesterday's date to the Captain-General, which I have the honour of laying before your Lordship; and also that I should have in that letter designated by name the guilty parties who have been concerned in all the three transactions, which have been accomplished with impunity in the same district since May last.

The Lieutenant-Governor is described upon this occasion to have been ignorant of what was going on; that he is an easy man, who does not inquire much about anything, but is managed by his assessor or legal adviser, who is known to be accessible, and has given proofs of venality upon former occasions. But this fact of the new Lieutenant-Governor of Pinar de Rio not being implicated, although it makes him less reprehensible, does not excuse him for not having detected and punished all the other parties concerned.

Inclosure 1 in No. 605.

Consul-General Crawford to the Captain-General of Cuba.

Havana, September 30, 1853.

I REGRET exceedingly that it should again have become my disagreeable duty to complain to your Excellency, and, in obedience to the instructions which I have from Her Majesty's Government, to remonstrate seriously against such repeated importations of Bozal negroes into this island, contrary to the provisions of the existing Treaties for suppression of the Slave Trade.

On Thursday, the 15th instant, a schooner, whose name I have not ascertained, arrived at the Cayos de Cortez, in the Ensenada of that name, with 180 Bozal negroes, and immediately proceeded to land them.

These negroes were forthwith taken to the hacienda Grifa, belonging to Don Luis Pimienta, from whence they have been selling quite publicly by the consignee of the cargo, Don Pio Dias. The schooner, which it appears belonged to a merchant whose name is Calvo, was burnt in the same manner as the two former slave-vessels at the Cayos; and the three burnt hulks may now be found near to each other, the group forming a most insulting memento of the disregard which has been shown to the law in these instances.

The crew of the schooner which brought these slaves, I am enabled to inform your Excellency, were embarked on Saturday, the 17th instant, on board of the coasting steamer "*Concha*," and were brought to Batabanó, accompanied by a person known at Punta de Cartas, where the crew embarked on board the "*Concha*," as the Baron Pimienta, a son of Don Luis, who came for the purpose of receiving a large sum of money, which he got and took back with him from said Calvo, and which sum of money, stated to have been about 200 ounces in gold, it is said was distributed by Don Pio Dias in "gratifications."

Such, your Excellency, is the information which I have received of this transaction from a sure source, and I hasten to place it within your Excellency's knowledge, for such purposes as may be deemed expedient.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 2 in No. 605.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, October* 1, 1853.

HIS Excellency the Governor Captain-General has received your Honour's letter of yesterday, acquainting him that on the 15th current (should be ultimo) a schooner arrived at Cayo Cortez with 180 Bozal negroes, which she landed as your Honour states.

His Excellency orders me to say to you, in answer, that, without delay, he has given orders to proceed in the matter for the proofs of this act, in the persecution and punishment of which he will occupy himself without resting.

God preserve, &c.

(Signed) LORENZO DEL BUSTO,
Political Secretary.

No. 606.

Consul-General Crawford to the Earl of Clarendon.—(*Received October* 30.)

My Lord, *Havana, September* 29, 1853.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch dated the 30th ultimo, acquainting me that Her Majesty's Government approve the steps taken by me in consequence of the information sent to me by the Superintendent of Honduras as to the proceedings of a person named J. B. Anduze, who had kidnapped thirty natives of Yucatan, and sent them to this island to be dealt with as slaves.

M. Carvallo, the Mexican Consul, by orders received from his Government, is following up this affair, but he has been met with the old pretence of the Captains-General in objection to his interference as Consul. General Cañedo desired that he would withdraw the communication upon the subject of these abducted Indians, which he was instructed to address to his Excellency; but M. Carvallo refused to do so, and I understand the Captain-General's objections to the Consul's interference were then made in writing, which have been transmitted to the Mexican Government.

In the meantime some forty or fifty of these unfortunates have been taken from Don Francisco Marty y Torrens, and have been placed in deposit by the Spanish authorities, and M. Carvallo informs me that he will not allow the matter to rest until he has obtained their liberation.

I have reported these circumstances to Mr. Doyle, Her Majesty's Minister at Mexico, who wrote to me that that Government had expressed the greatest interest in this matter; so that I have no doubt of M. Carvallo's being supported in his praiseworthy endeavours.

I have, &c.

(Signed) JOS. T. CRAWFORD.

No. 607.

The Earl of Clarendon to Consul-General Crawford.

Sir, *Foreign Office, October* 31, 1853.

I TRANSMIT herewith, for your information, a copy of a despatch* which I received from Her Majesty's Consul in the Bight of Biafra, containing intelligence respecting the proceedings of a slave schooner under Spanish colours in the River Brass between the 17th and 28th of July last.

I am, &c.
(Signed) CLARENDON.

No. 608.

The Earl of Clarendon to Consul-General Crawford.

Sir, *Foreign Office, November* 1, 1853.

I TRANSMIT to you herewith, for your information, a copy of a despatch† which I have received from Mr. Campbell, Her Majesty's Consul at Lagos, stating that about the end of the month of May last a barque called the "*Manuelita,*" American built, but hoisting Spanish colours, shipped 654 slaves in the neighbourhood of Aghwey.

I am, &c.
(Signed) CLARENDON.

No. 609.

The Earl of Clarendon to Consul-General Crawford.

Sir, *Foreign Office, November* 1, 1853.

I TRANSMIT to you herewith a copy of a report‡ which I have received, through Her Majesty's Minister at Lisbon, from the British Vice-Consul at Terceira, respecting a Portuguese vessel called the "*Laura,*" which had arrived at that island from Madeira, ostensibly with the intention of carrying colonists to Brazil, but suspected to be in reality intended for the Slave Trade.

I am, &c.
(Signed) CLARENDON.

No. 610.

The Earl of Clarendon to Consul-General Crawford.

Sir, *Foreign Office, November* 1, 1853.

I HAVE received your despatch of the 29th of September last, replying to the charge brought against you by the Spanish Government, on the ground that a person named John Quesseil, who represented himself to be your agent at Cienfuegos, had made use of improper language in addressing the authorities of that place.

I have in reply to inform you that your explanation is quite satisfactory, and that I shall instruct Her Majesty's Chargé d'Affaires at Madrid to point out to the Spanish Government that the accusation made against you by the Captain-General of Cuba respecting this matter was entirely unfounded.

I am, &c.
(Signed) CLARENDON.

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* No. 66. † No. 25. ‡ Inclosure 4 in No. 319.

No. 611.

The Earl of Clarendon to Consul-General Crawford.

Sir, *Foreign Office, November* 8, 1853.

I HAVE to inform you that I instructed Mr. Otway, &c., to call the attention of the Spanish Minister for Foreign Affairs to the non-fulfilment of the promise made to Lord Howden by Count Alcoy to the effect that all the emancipated negroes now in Cuba, under the Treaty of 1817, should receive their freedom on the expiration of their respective terms of apprenticeship; and I transmit to you a copy of a despatch* which I have received from Mr. Otway, inclosing a translation of a note from Señor Calderon de la Barca, stating that most peremptory orders have been sent to the Captain-General, directing him to carry out at once the decision of the Spanish Government that these persons should be liberated, and I have to instruct you to report to me whether these orders are obeyed.

I am, &c.

(Signed) CLARENDON.

No. 612.

Consul-General Crawford to the Earl of Clarendon.—(Received November 17.)

My Lord, *Havana, October* 8, 1853.

A PERSON whose name is Don José Lopez Ranjel, and who informed me that he resides in the jurisdiction of Bahia Honda, presented himself at this office, stating that he could and was anxious to give information respecting some Bozal negroes who were hidden somewhere in the neighbourhood of where he is settled; and said Lopez Ranjel having also informed me that preparations were being made at a place a short distance westward of Bahia Honda for the reception of a cargo of slaves, which is expected to arrive, I accompanied said person to the residence of the Captain-General (at present at the Molinos) out of town, and having acquainted his Excellency of the circumstances, Don José Lopez Ranjel was called upon, when he stated that a number of the Bozals who were landed at Ortigosa, in December last, are concealed on some farms (ranchos), and that if his Excellency would be pleased to order them to be taken by the Capitan Pedaneo of San Cristobal, he, Lopez, would conduct the officer to where said Bozals would be found.

His Excellency appeared to think that the period since December last, was rather long, and proceeded to interrogate the man Lopez as to the sort of place where said Bozals might be, with a view to ascertain whether they were upon any plantation, and Lopez having answered that they are upon the plantations of persons whom he named, the Captain-General then said that he could not interfere.

I thereupon alluded to the other information which this Don José Lopez Ranjel had volunteered, with regard to the preparations made for the cargo of slaves expected, and having adhered to the statement which he had previously made to me, his Excellency said that, if he gave notice immediately upon the arrival of said expected expedition to the nearest authority, so as that his information should lead to the capture of the negroes and the parties concerned in their introduction, he, the Captain-General, would pay him a very handsome gratification, and his Excellency thereupon proceeded to take notes and give instructions to the said Don José Lopez Ranjel, who remained at the Molinos, and, as my

* No. 465.

presence was not required, I returned to this office; but as I have not seen Lopez since, I am not aware of the nature of the instructions which he may have received.

My reception by the Captain-General upon this occasion was by no means cordial, and his Excellency's manner was distant and repulsive; he received me standing, and I was not invited to sit down.

From this interview your Lordship will be enabled to notice that it is not General Cañedo's intention to follow and capture any more Bozal negroes upon the plantations, and also that slaves were landed at Ortigosa in December last, which there was a disposition on the part of the Spanish Government to deny.

But I must state, and I have much pleasure in doing so to your Lordship, that his Excellency showed himself as being most anxious to avail himself of the proferred assistance of this Don José Lopez Ranjel, for the purpose of capturing the expedition of slaves which is expected, in which I most sincerely hope he may be successful.

I have, &c.
(Signed) JOS. T. CRAWFORD.

No. 613.

The Earl of Clarendon to Consul-General Crawford.

Sir, *Foreign Office, November* 23, 1853.

I TRANSMIT to you herewith a copy of a despatch* which I have received from Her Majesty's Consul at Bahia, stating that he has reason to suspect that slave-trading speculations are being carried on from that port, in conjunction with the slave-dealers of Cuba.

I am, &c.
(Signed) CLARENDON.

No. 614.

The Earl of Clarendon to Consul-General Crawford.

Sir, *Foreign Office, November* 25, 1853.

WITH reference to your despatch of the 8th ultimo, I have to acquaint you that I approve the steps which you took in order to bring to the knowledge of the Captain-General of Cuba the information communicated to you by Don José Lopez Ranjel, respecting the concealment of some Bozal negroes, and as to other Slave Trade operations in the neighbourhood of Bahia Honda.

I am, &c.
(Signed) CLARENDON.

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* No. 177.

No. 615.

Consul-General Crawford to the Earl of Clarendon.—(*Received December* 5.)

My Lord, *Havana, October* 28, 1853.

I HAVE the honour of acknowledging the receipt of your Lordship's despatch dated the 9th ultimo, transmitting for my information a copy of a despatch which your Lordship had addressed to Her Majesty's Chargé d'Affaires at Madrid, with regard to the statements contained in my despatch dated the 9th of August, as to the embarrassment which the Captain-General has experienced in carrying out his orders, directing that newly-imported negroes should be pursued to the estates in this island where they may be concealed.

It is most desirable that the Spanish Government should be pressed upon the subject of your Lordship's despatch, so that the amendment of the Law of March 1845 be made as soon as possible, so as to warrant the authorities in following and capturing the newly-imported negroes; but to render that measure thoroughly effective, and especially for the protection of the owners of slaves already in the island, it seems to me indispensably necessary that a law should be passed for a general registry, which should be kept up, and which would operate to prevent all disputes in cases of search for Bozals, in the event of recent importations; for until there has been a general registry of the slaves, there is a means of passing the newly-imported for the Ladino slaves, which would be made use of to baffle the measures of the very best intentioned authority to put an end to the Slave Trade.

I have, &c.
(Signed) JOS. T. CRAWFORD.

No. 616.

Consul-General Crawford to the Earl of Clarendon.—(*Received December* 5.)

My Lord, *Havana, October* 29, 1853.

IN doing myself the honour of acknowledging the receipt of your Lordship's despatch of the 15th ultimo, transmitting for my information and guidance a copy of a despatch from Mr. Baker, Her Majesty's Consul at Barcelona, I have to state to your Lordship that the vessel referred to, the "*Paquita*," Francis Segovia, master, arrived in this port on the 8th instant, and has cleared out a few days ago, with a cargo of sugar for Santander.

Mr. Consul Baker's suspicions were doubtless occasioned by the fact that this vessel has made at least one successful voyage in the Slave Trade, under the direction or the ownership of Don Julian Zulueta, to whom she was consigned on the present occasion, at this place.

I have, &c.
(Signed) JOS. T. CRAWFORD.

No. 617.

Consul-General Crawford to the Earl of Clarendon.—(*Received December* 5.)

My Lord, *Havana, November* 1, 1853.

UPON the receipt of your Lordship's despatch of the 20th September, and its inclosures, which I do myself the honour to acknowledge, I made a communication to the Captain-General, acquainting his Excellency of

the preparations for carrying on the Slave Trade upon an extensive scale, which had been reported to your Lordship by Her Majesty's Consul at Bahia; and I have the honour of laying before your Lordship a copy of my said communication, and of his Excellency's answer thereto.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 617.

Consul-General Crawford to the Captain-General of Cuba.

Havana, October 27, 1853.

I HAVE received a despatch, dated the 20th ultimo, from Her Majesty's Secretary of State for Foreign Affairs, transmitting to me a copy of a despatch which his Lordship had received from Her Majesty's Consul at Bahia, stating that there had been an increased activity lately in the shipment of cargoes from that port to the coast of Africa, and that he understands that those shipments are intended to be employed in the Cuba Slave Trade.

The British Consul states, in his despatch to the Earl of Clarendon, that the slave-dealers of Bahia, undeceived at last as to the danger of continuing their nefarious practices on that coast, have turned their attention to the Cuba slave-markets; and therefore it was that in the short period between the 13th of July and the 18th of August last four vessels had sailed, and five more were loading with cargoes to be employed in the Traffic for Slaves at the coast of Africa from Bahia. And I hasten to communicate this information to your Excellency, for such purposes as may be deemed necessary in anticipation of such expeditions.

God preserve, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 2 in No. 617.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, October* 31, 1853.

HIS Excellency the Captain-General has seen your Honour's official letter of the 27th instant, acquainting him of the activity which there has been of late in the shipment of cargoes from Bahia in the Brazils, for the coast of Africa, which are intended to be invested in the Slave Trade to this island; and in consequence he has ordered me to state to your Honour that he has informed himself of your said communication.

God preserve, &c.

(Signed) LORENZO DEL BUSTO,
Political Secretary.

No. 618.

Consul-General Crawford to the Earl of Clarendon.—(Received December 5.)

My Lord, *Havana, November* 1, 1853.

I HAVE the honour of acknowledging the receipt of your Lordship's despatch dated the 22nd September, transmitting copy of a despatch from Her Majesty's Consul at St. Catherine's respecting the fitting out of

slavers at Monte Video, and reporting that four vessels which had sailed from St. Catherine's for the west coast of Africa in 1851, had returned to Cuba with cargoes of slaves, which they safely landed in this island.

I deemed it my duty to report the circumstance to the Captain-General, noticing especially the fact stated by Mr. Consul Callander with regard to the suspicious schooner "*Pepa*," which was off St. Catherine's on the 29th of August last; and I have now the honour of laying before your Lordship a copy of my letter to General Cañedo, and also that of his Excellency's acknowledgment thereof.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 618.

Consul-General Crawford to the Captain-General of Cuba.

Havana, October 27, 1853.

THE Right Honourable the Earl of Clarendon, Her Majesty's Secretary of State for Foreign Affairs, has transmitted to me the copy of a despatch from Her Majesty's Consul at St. Catherine's in Brazil, dated the 5th of August last, in which that functionary reports to his Lordship that four slavers which had sailed from St. Catherine's for the coast of Africa in 1851, had returned, having safely landed their cargoes in this island.

The Consul was unable to ascertain the names of those slavers, but one of them was commanded by an individual named Sumares; he also reports a schooner called the "*Pepa*," as being off St. Catherine's under suspicious circumstances, supposed to proceed to the coast of Africa on the 29th of August, to bring a cargo of slaves to this island, which I consider it my duty to communicate to your Excellency for such purposes as by your Excellency may be deemed expedient with regard to the "*Pepa*."

God preserve, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 2 in No. 618.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, October* 31, 1853.

HIS Excellency the Governor Captain-General has informed himself of your Honour's official letter of the 27th instant, respecting four slavers which sailed from St. Catherine's in Brazil, for the coast of Africa, in the year 1851, and are said to have come with cargoes to this island, the names of which vessels it had not been possible to ascertain; and also respecting another schooner called the "*Pepa*," which was in sight from St. Catherine's; and in consequence his Excellency orders me to say to your Honour, in answer, that he is so informed.

God preserve, &c.

(Signed) LORENZO DEL BUSTO,
Political Secretary.

No. 619.

Consul-General Crawford to the Earl of Clarendon.—(*Received December* 5.)

My Lord, *Havana, November* 1, 1853.

HAVING addressed a communication to the Captain-General upon the receipt of your Lordship's despatch of the 22nd September, which I now have the honour of acknowledging, I beg leave to lay before your Lordship a copy of that communication, as well as a copy of his Excellency's answer thereto.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 619.

Consul-General Crawford to the Captain-General of Cuba.

Havana, October 28, 1853.

I HAVE the honour of acquainting your Excellency that the Right Honourable the Earl of Clarendon has communicated to me, in a despatch dated the 22nd ultimo, the capture by Her Majesty's cruizer the "Myrmidon," on the 31st of May last, off Kilongo, of the schooner "*Maria*," fully equipped for the Slave Trade, which vessel was without papers or colours on board; but the master, Juan Dias, a Spaniard, formerly kept a factory on the coast of Africa, and the mate, who gave his name as an Austrian, was known to be from Havana, having been taken formerly by the "Bonetta," off Cape Mount in 1848, and recently off the coast of this island by Her Majesty's ship "Vestal."

This schooner, the "*Maria*" (but this most probably was not her real name), had sailed, about seventy-four days previous to the date of her capture, from a port or place on the coast of this island, about sixty miles from Havana, and was bound to Kilongo or Point Banda, where her cargo of slaves was ready to be put on board.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 2 in No. 619.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, October* 31, 1853

HIS Excellency received your Honour's official letter of the 28th current, acquainting him of the capture of the schooner "*Maria*," equipped for the Traffic in Slaves, and in consequence he has desired me to say to your Honour that he has informed himself of your official letter referred to.

God preserve, &c.

(Signed) LORENZO DEL BUSTO,
Political Secretary.

No. 620.

Consul-General Crawford to the Earl of Clarendon.—(*Received December* 5.)

My Lord, *Havana, November* 2, 1853.

HAVING transmitted a copy of your Lordship's despatch of the 30th of August to Mr. Consul Forbes for his observations upon the Spanish Government's opinion respecting the children of the deceased negress

Nancy's claim to their freedom, I have now the honour of laying before your Lordship that functionary's remarks, which, it must be evident, are written with great force; and as it appears that after the death of the old lady, Madame Touson's reputed mother, Mademoiselle Bonne Castain, the negress Nancy was claimed by the Juez de Difuntos, there seems a strong probability that neither Madame Touson (who by that time had gone away from Santiago de Cuba), nor Mademoiselle Bonne Castain, with whom Nancy remained up to the time of the latter's death, considered her otherwise than as being free; to which may be added the circumstance that said Nancy was not subsequently claimed, as I understand she never has been, by the heirs or representatives of Madame Touson, nor by the representatives, legally constituted, of Mademoiselle Bonne Castain.

There may be a doubt as to the condition of Nancy when she came from Jamaica, but there is certainly no proof that she was a slave; and it is to be hoped that the poor deceased woman's children will be allowed the benefit of that doubt and the presumption, which is so strong, that the mother had been freed previous to her leaving Jamaica, since she has not been found inscribed in the Slave Registry there.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure in No. 620.

Consul Forbes to Consul-General Crawford.

Sir, *St. Jago de Cuba, October* 22, 1853.

I HAVE had the honour to receive your letter of the 30th ultimo, transmitting a copy of a communication received by you from the Earl of Clarendon in reference to the case of the lately deceased negress Nancy and of her children, whose right to freedom is at present a question between the British and Spanish Governments.

From the contents of that despatch I learn that General Lersundi, the Spanish Secretary of State for Foreign Affairs, was of opinion—

That Her Majesty's Government have failed to prove that Nancy came from Jamaica;

That the certificate of the Colonial Secretary of Jamaica shows, that the records kept in that office do not supply any information respecting the said negress, either as conveyed or manumitted by Mr. John Clark or any other party, or of her being registered as a slave by him or any one else;

That the declaration of John Boileau Sorapure, as to his knowledge of Nancy and of the circumstances of her removal from Jamaica, is unsupported by other corroborative testimony, and that no evidence whatever has been produced as to the uninterrupted series of masters to whom the negress Nancy may have belonged after her transfer from the first master, who is supposed to have brought her away from Jamaica;

And lastly, that the identity of her two sons has not been proved.

In reply to the above objections I have to remark:

1st. That I have proved by the voluntary declaration of John Boileau Sorapure that he knew Nancy from a child, in the house of his half sister, Louise Defouret, after Madame Touson, who was resident in Kingston, Jamaica, before the members of that family, accompanied by Nancy, came over to this island, which he states they did in October of the year 1825, in the sloop "Rose."

By the same affidavit I have also proved that he visited the family in this city in the year 1831, on which occasion he again saw the negress Nancy.

The fact of the family having arrived here from Jamaica, and resided in this city for many years, being a notorious fact, I consider that evidence of Sorapure, in regard to Nancy having accompanied them, must be received as trustworthy till controverted.

On opening this case I requested Governor MacCrohon to cause

search to be made for the passports of the parties who came passengers in the sloop "Rose," with a view to ascertain the condition of Nancy, but to that request I received no reply.

2nd. I regard the non-inscription of Nancy in the Slave Register of Kingston as coinciding well with the impression entertained by the negress herself, who, on appearing before me, stated her belief that when shipped from Jamaica she was entered on the passports as free. As such a document is absolutely necessary to parties visiting this island, one of two things would appear to have been the case,—either Nancy was free when she embarked, or the Spanish Consul in Kingston committed an illegal act by granting a passport to the said family, when they left Kingston, accompanied by the said negress in a state of slavery, in direct violation of the Act 5 Geo. IV, cap. 113, whereby such abduction of slaves from that island was prohibited.

3rd. As previously stated, I repeat that if the declaration of John Boileau Sorapure has not been corroborated, it has at least not been refuted in any way, and therefore, as far as it goes, is worthy of all credit.

The observation, that no evidence whatever has been produced as to the uninterrupted series of masters to whom the negress Nancy may have belonged after her transfer from the first master, I have taken the liberty to underline, as appearing to me of no importance, seeing that the negress Nancy never changed masters, having remained in the house of Madame Touson's reputed mother, Mademoiselle Bonne Castain (with whom Madame Touson left her in retiring to France), till the old lady died, when she was claimed by the Juez de Difuntos.

Lastly, with regard to the identity of Nancy's children, no such proof as is now exacted was required in the case of the negress Betsey and her family.

In my letter to Governor Mac Crohon of the 12th February, 1849, I stated that Nancy's two first children, Juan and José, had been sold at the time of Madame Touson's departure, Juan to Don Salvador Benitez and José to Don Francisco Pedro.

These data the Spanish Government may consider as insufficient to trace the present proprietors of these negroes if they have changed hands (of which I am not cognizant), but any one resident in this country, aware of the severity of the fines exacted when regular sales of negroes are not passed and the duties paid on their changing masters, must admit, that with the above indication the said slaves could ere now have been easily traced by the local authorities had a search been instituted in the notaries' offices, or even by inquiry of the parties named.

The same remarks apply to their baptismal registers. Should the said negroes be traced by bill of sale to have belonged to Madame Touson, and be proved by their baptismal certificates to have been the sons of a negress Nancy, her slave, the proofs of the case would be complete; but however easy I may fancy the establishment of this evidence, had I access to the archives of these offices referred to, you must be aware that such cooperation is a duty devolving, in equity, on the Spanish authorities and not on me.

If any obstacles are advanced by the Spanish Government to such a scrutiny, then, indeed, must the case be looked on as concluded, for Madame Touson having left the island, and her husband and reputed mother, as well as the negress Nancy, being dead, I have no means of adducing further proofs in favour of the latter's children to freedom.

I have, &c.

(Signed) JAMES FORBES.

No. 621.

Consul-General Crawford to the Earl of Clarendon.—(*Received December* 5.)

My Lord, *Havana, November* 3, 1853.

HER Majesty's Commissary Judge has transmitted to me, by direction of your Lordship, a copy of a despatch from Her Majesty's Chargé d'Affaires at Madrid, inclosing a copy of a letter which had been addressed to him by the Spanish Minister for Foreign Affairs, respecting the lists of the emancipados which ought to have been furnished by the Captain-General of Cuba to the Mixed Court of Justice at this place, in conformity with Articles V and VI of Annex C to the Treaty of the 28th of June, 1835.

In the note of the 18th of August last, which General Lersundi addressed to Mr. Otway, I observe that his Excellency states, that, on the 8th November last year, the Captain-General had said, in reply to the instructions which had been sent to him on the subject, that although the Mixed Court of Justice had never asked for the lists in question, he would fulfil the orders given him to that effect; and General Lersundi goes on to say, It is very possible that the subsequently adopted measure of giving liberty [granting their freedom] to all the emancipados may have induced the aforesaid functionary to believe that these returns were no longer required, the Mixed Court concurring with him, perhaps, in that belief; or that this may be perhaps one of the questions originated by the excessive zeal of Her Majesty's Consul at the Havana for the purpose of giving importance to his position, or for raising fresh causes of molestation to the authorities of the island.

It is the fact that the lists which, according to Articles V and VI of Annex C to the Treaty of 1835, ought all along to have been furnished to the Mixed Court, have never up to this date, since the Captain-General Valdez's time, been forthcoming, but on the contrary have been withheld, by which means (which it would seem was devised by Captain-General O'Donnell, and has been acted upon by all his successors) it has become impossible for Her Majesty's functionaries to keep an account of those emancipados who from time to time have received their free papers, excepting those who have been freed and sent away; neither has there at any time been a registry, or lists of the deaths of emancipados, nor of the children born to them, &c., sent to the Mixed Court, as the Governors or Captains-General, according to Article VI, are bound to deliver every six months.

Where then is the excuse which General Lersundi would propose in echo of General Cañedo's observation, that these lists had not been asked for by the Mixed Court? when it is clearly prescribed by the Treaty that they were bound to deliver them half-yearly, for it is not said that the Mixed Court is to apply for them, as the Captain-General would insinuate, but quite the contrary; it is his bounden duty to deliver them to the Court.

I would respectfully remark upon General Lersundi's idea, that the subsequently adopted measure of granting freedom to all emancipated negroes, might have induced the Captain-General to believe that the returns in question were no longer required, that it is just because of that measure that the returns are more than ever become indispensable for the carrying it into just and proper effect; and that at whatever time these lists, or registers, are obtained, they must be subjected to a most rigorous scrutiny, or else the great measure of granting freedom to the emancipated negroes, which I understand has been negotiated with the Spanish Government to be carried into effect previous to the end of this year, will most likely be but a very partial relief to that suffering and much-to-be-pitied class.

But little time now remains for the thorough examination of the register, which, it is to be presumed will not be much longer withheld; but the necessity for Her Majesty's Government being thoroughly satis-

fied that none of the emancipados who are surviving have been substituted for slaves who died, the emancipado being returned as deceased—a trick which there is but too much reason to believe has very often been practised here—must be self-evident to every one that is acquainted with the corrupt practices of the slavers, and of all connected with them in this island.

General Lersundi's conjecture with regard to my interference in this important matter, is too contemptible to be worthy of any observation; but he, or any other Minister of the Spanish Government, may be satisfied that I shall not be deterred, by either their threats or their sneers, from doing my duty, and upon every occasion acting up to the instructions of Her Majesty's Government, without any regard to my position, which is certainly none of the most agreeable because of the numerous complaints which I have found it my duty to make, whilst I shall be equally ready to perform the far more agreeable duty, if it is in my power, of reporting a better observance of the Treaties than we have hitherto experienced on the part of the Spanish authorities.

I have, &c.
(Signed) JOS T. CRAWFORD.

No. 622.

Consul-General Crawford to the Earl of Clarendon.—(Received December 5.)

My Lord, *Havana, November 9, 1853.*

THE activity of the Slave Trade which is at present carrying on in almost every direction around the island, calls for the most immediate attention.

I have from time to time had occasion to notice to your Lordship that the slave-traders were not in any way deterred from their enterpri es, since they had satisfied themselves that the Captain-General and other authorities would not be borne out in the measure of following recently imported negroes on to the plantations, and of capturing them.

Besides the extensive preparations given rise to by that circumstance, the numerous communications which I have received from the department presided over by your Lordship, and from other sources, had prepared me to expect numerous expeditions of negroes, and I had notified his Excellency the Captain-General thereof, so that he might order his dispositions accordingly.

It appears that some of these slavers have already arrived and have safely landed their cargoes; and this being the case there is no reason to expect that the others expected will be less successful, or that there will be any difference on the part of the authorities whose duty it should be to prevent such glaring violations of the law and of the existing Treaties.

I beg leave to transmit herewith a note of the communications which I have recently addressed to the Captain-General, to which I have not as yet received any answers, the copies of which correspondence I shall in due time do myself the honour of laying before your Lordship.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure in No. 622.

Memorandum of the Communications addressed to the Captain-General of Cuba by Consul-General Crawford, to which answers have not yet been received.

November.—INQUIRING result of two suspicious vessels which were seen from the port of Batabano on Sunday, the 30th of October, supposed to be slavers; and also respecting another slaver, which it was reported had landed her cargo of Bozal negroes a few days previously inside the Isle of Pines.

7th. Acquainting the Captain-General that several vessels with slaves were momentarily expected to the eastward of Cardenas, which slaves were to be landed by boats or launches, all ready prepared, from the neighbouring coast in the old Bahama Channel; and also notifying his Excellency that these expeditions, which were supposed to be by Portuguese or Brazilians in connection with parties in this island, were to be followed by others in all this month and December.

Ditto. That a slaver was ready to sail, fitted out at Santa Cruz, on the south side of this island, bound to the coast of Africa.

8th. That a slaver, barque-rigged, said to have brought 600 or 700 Bozals, had landed her cargo, about the 1st instant, to the eastward of Cardenas, by means of boats or launches sent from the coast of this island, in the most glaring and scandalous manner, which could hardly have escaped the notice of the local authorities.

Ditto. That the slaver from Santa Cruz was the Venezuelan brig "*Cottorra*," which vessel had altered her rig at that port into a schooner, and had there fitted in all respects for the Slave Trade; that she sailed on the 31st ultimo under a false clearance for Curaçoa, as if she had had a cargo of cedar wood, aguardiente, &c., and complaining of the want of vigilance of the Captain of the Port and of the Tide-Surveyor, in allowing her to fit out and sail in the manner described.

No. 623.

Consul-General Crawford to the Earl of Clarendon.—(*Received December* 12.)

My Lord, *Havana, November* 19, 1853.

I HAVE the honour of laying before your Lordship the correspondence, referred to in my last despatch, which I have had with the Captain-General, in which there is nothing very particular to bring under your Lordship's notice, excepting that with regard to his Excellency's answer to my letter of the 2nd instant, respecting two suspicious vessels which were seen from Batabano.

It is remarkable that, if these vessels really were, as his Excellency states them to have been, British fishing-vessels from the Cayman Islands, they should not have been detained by the schooner "Constancia," which, he says, was dispatched by the local authorities for the purpose of ascertaining the character of the said suspicious vessels.

His Excellency also contradicts the information I had received with regard to the disembarkation of a cargo of slaves at a place inside of the Isle of Pines; but your Lordship will not fail to observe that my denouncement has either been imperfectly translated or misunderstood, because the denial on the part of the Captain-General is with reference to any landing having been effected at the Isle of Pines, which is not at all what I said to his Excellency in my letter referred to.

I therefore consider that the information which I received and acted upon was perfectly true, although certainly the slaves were not landed on the Isle of Pines, but upon the mainland of Cuba.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 623.

Consul-General Crawford to the Captain-General of Cuba

Havana, November 2, 1853.

IT having come to my knowledge that two suspicious vessels were seen from Batabano on Sunday last, the 30th ultimo, which were supposed to be slavers about to land their cargoes; and it having been reported at that place that a cargo of slaves had been landed somewhere inside of the

Isle of Pines previous to the date above mentioned; the precise date, or the place where such disembarkation of Bozals was effected, I have not been able to learn: I hasten to make this communication to your Excellency, and I beg leave to request that you will be pleased to inform me, for the information of Her Majesty's Government, of such intelligence as may have reached your Excellency upon this subject.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 2 in No. 623.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, November* 14, 1853.

HIS Excellency the Governor Captain-General received your Honour's official letter of the 2nd current, about two suspicious vessels which they saw from Batabano on Sunday, the 30th of last month, which were supposed to have been slavers intending to land their cargoes; and also with reference to the rumours as to a landing of slaves at Isle of Pines, the date and place where it was effected it had not been possible to find out, as you say; asking, for these reasons, for information upon the subject.

In answer, his Excellency orders me to state to you that he does not recognize any faculty in your Highness to ask for information from his authority; but that, notwithstanding, in the present case he will say, that the report or rumour you allude to in your letter as to a disembarkation at the Isle of Pines is imaginary, and that the suspicious vessels to which you refer as having been examined by the schooner "Constancia," which was commissioned by the local authorities as soon as they were seen, turned out to be English vessels, which had improperly come into those waters to follow the fishing of turtle; respecting which measures have been taken, so that, if the vessels of Her Majesty's nation, or of any others, infringe, as these have now done, the existing orders, they shall be detained immediately.

God preserve, &c.

(Signed) LORENZO DEL BUSTO,
Political Secretary.

Inclosure 3 in No. 623.

Consul-General Crawford to the Captain-General of Cuba.

Havana, November 7, 1853.

IT has been denounced to me that several expeditions of slaves are expected to arrive immediately at places in the Old Bahama Channel, and that these Bozal negroes are to be disembarked by launches sent for the purpose from Sierra Morena, which intelligence I beg leave to communicate to your Excellency for such purposes as you may deem advisable for intercepting the said expeditions.

I am also informed that the slavers exported are probably Portuguese or Brazilians in connection with parties here, and that there are others to follow which ought to arrive during this and the next month of December.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 4 in No. 623.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, November* 8, 1853.

HIS Excellency the Governor Captain-General received your Honour's official letter of yesterday, denouncing to him that various expeditions of slaves are expected in the Old Bahama Channel, and that these slavers are probably Portuguese or Brazilians.

His Excellency desires me to say to your Honour in answer, as I do, that he has informed himself of the expressed denouncement.

God preserve, &c.

(Signed) LORENZO DEL BUSTO,
Political Secretary.

Inclosure 5 in No. 623.

Consul-General Crawford to the Captain-General of Cuba.

Havana, November 7, 1853.

I HASTEN to acquaint your Excellency that I have this day received intelligence from Her Majesty's Consul at St. Jago de Cuba, dated the 29th ultimo, stating that he had learnt from an undoubted source, that at that date there was a vessel lying at Santa Cruz, on the south side of this island, taking in her fittings for the coast of Africa, intended for a slaving voyage.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 6 in No. 623.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, November* 8, 1853.

HIS Excellency the Governor Captain-General received your Honour's official letter of yesterday, acquainting him that the English Consul in Cuba states that it has come to his knowledge that on the 29th of the last month, there was a vessel in the port of Santa Cruz taking in materials for the coast of Africa with intention to make a voyage as a slaver, and in answer he desires me to say, as I do, that he has made a note thereof.

God preserve, &c.

(Signed) LORENZO DEL BUSTO,
Political Secretary.

Inclosure 7 in No. 623.

Consul-General Crawford to the Captain-General of Cuba.

Havana, November 8, 1853.

THE vessel which I referred to in my letter to your Excellency of the 7th instant, as having been got ready and about to sail from Santa Cruz, as a slaver to the coast of Africa, was a brig under Venezuelan colours called the "*Cottorra,*" which entered at that port about five weeks ago.

At Santa Cruz she altered her rig to that of a schooner, took in her fittings as a slaver, and sailed on the last days of last month, with a false clearance for Curaçoa, with cedar, guano, and aguardiente, so that the Captain of the Port and Comandante de Resguardo of Santa Cruz could have paid but little attention to the circumstance, that a slaver was fitted out and was allowed to depart from that port.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 8 in No. 623.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, November* 10, 1853.

HIS Excellency the Governor Captain-General has seen by the official letter of your Honour of the 8th, referring to your former of the 7th, about a Venezuelan brig called the "*Cottorra,*" saying that she was fitted out at Santa Cruz for the coast of Africa, but had been falsely cleared for Curaçoa with a cargo of cedar, guano, and aguardiente; he orders me to inform your Honour of the receipt of said official letter, as I do by these presents.

God preserve, &c.

(Signed) LORENZO DEL BUSTO,
Political Secretary.

No. 624.

Consul-General Crawford to the Earl of Clarendon.—(*Received December* 12.)

My Lord, *Havana, November* 19, 1853.

THE correspondence with the Captain-General, which I did myself the honour of announcing to your Lordship in my despatch of the 9th instant, upon the subject of a disembarkation of Bozal negroes, which took place at a place in the Old Bahama Channel to the eastward of Cardenas, on one of the first days of this month, has been somewhat extended, owing to the manner in which it has pleased his Excellency to receive and consider as offensive to the Spanish nation, my observations upon the scandalous nature of the infraction of the law and of the Treaty.

I now do myself the honour of laying before your Lordship the whole of that disagreeable correspondence, and I would specially bring under your consideration the very discourteous tone and expressions which General Cañedo has authorised the Political Secretary to make use of, in disrespect and disregard to the instructions of Her Majesty's Government, by which, I was careful to state to his Excellency, I must be guided in remonstrating with the Captains-General upon the so-constantly-repeated violations of the existing Treaties.

I would upon this new occasion of a repetition of such discourtesy, most respectfully submit to your Lordship that my letter to the Captain-General of the 8th instant does not contain any expressions offensive to the Spanish nation, or to his Excellency's authority, and that it is time for the Spanish Government to be made aware that I am authorized by Her Majesty's Government so to address myself to the Captains-General of Cuba, with regard to these so-often-repeated disembarkations of slaves, which to excuse themselves they have said they cannot, but which in reality they will not, prevent; for it must be at a very remote place indeed upon the coast of this island (such a place as slavers never come to) that negroes could be landed without the immediate knowledge of the local authorities, and it cannot but be considered as most remarkable that there is no record of a slaver's ever having had to turn back with her cargo to the coast of Africa.

Every expedition which has presented itself has been landed. How few of the slaves have been captured by the Spanish authorities! and up to the present time, since the passing of the Penal Law, notwithstanding the frequency of its having been violated, there has not been one instance of the detection of those concerned in, or conniving at, such transactions, with exception of some few of the sailors who were on board; for the masters who have successfully landed their cargoes, the supercargoes, the owners, and the outfitters, as well as those who connived at the disembarkations, and who were bribed to their disgrace, have always gone unpunished.

It is reported that some of the Bozals of the expedition, subject of this despatch, have been captured by the Captain-General's officers, and that they have, in number upwards of 100, been brought here to Havana; as I have not been able to obtain any satisfactory information, and they have not been as yet declared emancipados, I merely allude to the rumour as likely to be true: but I am by no means of opinion that these unfortunates will be benefited by the change of their condition from slaves to emancipados. As the latter they will certainly be worse treated, and they may groan on, till the end of their existence, in a state which I have described as far worse than slavery, unless there is a change in the measures of the Spanish Government with regard to that suffering and ill-used class.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 624.

Consul-General Crawford to the Captain-General of Cuba.

Havana, November 8, 1853.

IT is again my disagreeable duty to complain to your Excellency that on one of the first days of this present month, a large vessel, said to be barque-rigged, landed about 600 or 700 Bozal negroes on the north coast of this island to the eastward of Cardenas, which violation of the law and of the Treaty for suppression of the Slave Trade, was, as I understand, effected with the most complete success and impunity of the parties concerned.

As the disembarkation of so large a number of slaves by boats and launches sent from the shore, must have attracted the attention of the most common observer, taking into consideration especially, that the place where this scandalous transaction took place is much frequented, I cannot but express my surprise that it could have been accomplished without the knowledge of the local authorities.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 2 in No. 624.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, November* 10, 1853.

HIS Excellency the Governor Captain-General has received your Honour's official letter of the 8th instant, relative to a disembarkation of Bozal negroes, which your Excellency says was effected to the eastward of Cardenas from a vessel rigged as a barque.

In answer he orders me to say to your Honour that, owing to a vague rumour which came under his notice respecting this affair, he immediately gave the convenient orders necessary for the corresponding investigation, previous to the receipt of your Honour's official letter.

He has likewise desired me to state to your Honour, that he repels the injurious qualification in which your Honour has allowed yourself to indulge in your letter referred to, wanting in due respect to his authority, and to the decorum recommended in the agreement of the 4th of November, 1845, upon this subject; making known to you, for that reason, that if the communications which your Honour addresses to him in future, are not couched with courtesy and in the spirit marked by the agreement referred to, his Excellency will be under the unavoidable necessity of returning the "originals" as the only answer.

God preserve, &c.

(Signed) LORENZO DEL BUSTO,
Political Secretary.

Inclosure 3 in No. 624.

Consul-General Crawford to the Captain-General of Cuba.

Havana, November 11, 1853.

I HAVE to acknowledge to your Excellency the receipt of an answer signed by Mr. Secretary Del Busto, to my letter of the 8th instant, respecting a disembarkation of Bozal negroes, which was recently effected to the eastward of Cardenas, and I shall have much pleasure in reporting to Her Majesty's Government that your Excellency had already received information of the circumstance, and had, previous to the receipt of my official communication, ordered measures to be adopted therein.

I have carefully read over my letter to your Excellency of the 8th instant, upon the subject of this violation of the law and of the Treaty, and I have not been able to discover in it the slightest expression derogatory to, or wanting in respect to, your Excellency's authority, nor inconsistent with the agreement of the 4th of November, 1845.

I am therefore disposed to think that not only upon this occasion but upon others, my official communications may have been so translated as to give to them a meaning which they by no means had or were intended to convey, and the more so am I satisfied that this must be the case, because it has upon every occasion been my study to avoid the semblance of discourtesy. At the same time I would respectfully state to your Excellency, that in the performance of my duties I must be guided by the instructions which I have from Her Majesty's Government, and remonstrate with your Excellency upon the so-frequently-repeated introductions of slaves from Africa into this island.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 4 in No. 624.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, November* 17, 1853.

HIS Excellency the Governor Captain-General has received your Honour's official letter in answer to his Excellency's letter occasioned by your Honour's writing of the 8th current, respecting a disembarkation of Bozal negroes, which your Honour says was recently effected to the eastward of Cardenas.

In consequence, his Excellency has desired me to intimate to your Honour, that this Government has faithful and capable interpreters, whose translations, therefore, are entitled to full faith; that the opinions which constantly and studiously you allow yourself to use in your position of Consul, have been, are, and always will be repelled by this Government with energetic decision; the instructions which you may have from your Government being held as nothing, because it does not concern it (this Government) to look to them: and it cannot ever cease to look upon as offensive and disrespectful towards the Spanish nation, the most insignificant phrase officially made use of by that Consulate, revealing pretensions to pass the limited sphere of commercial agent corresponding thereto, nor that you may consider yourself endowed, with regard to the Slave Trade, with any other authority than to give such correct information as may conduce to the fulfilment of the existing Treaties.

God preserve, &c.

(Signed) LORENZO DEL BUSTO,
Political Secretary.

Inclosure 5 in No. 624.

Consul-General Crawford to the Captain-General of Cuba.

Havana, November 19, 1853.

I HAVE to acknowledge the receipt of Mr. Secretary Del Busto's letter of the 17th instant, addressed to me by your Excellency's authority, and which has reference to my communications addressed to your Excellency of the 8th and 11th instant, respecting a disembarkation of Bozal negroes, which recently took place on the coast of this island, to the eastward of Cardenas, in the Old Bahama Channel; and I shall take the earliest opportunity of laying before Her Majesty's Government the whole of the correspondence which I have had with your Excellency upon that subject.

God preserve, &c.

(Signed) JOS. T. CRAWFORD.

No. 625.

Consul-General Crawford to the Earl of Clarendon.—(Received December 12.)

My Lord, *Havana, November* 21, 1853.

THE three British subjects, William Hersey, Charles Robinson, and John Radcliffe, who were reported to me as having been on board the slaver "*Jasper*" as seamen, and who are referred to in my despatches of the 2nd and 29th of August, having ultimately escaped from amongst the slave-traders at the Ensenada de Cortez, were brought to this port on the 22nd ultimo on board a drogher, to which they made signals of distress from some place near the Colorado Reef—consequently having

crossed the island from south to north, a circumstance which proves the facilities afforded by the authorities to those who have an object in concealing the truth with regard to slave-trading.

Not only the three British subjects I have named, but three more who are Americans, were thus brought to Havana, and they were placed as prisoners, by the Admiral-in-chief of the Marine, on board the ponton "Villavicencia."

Upon the arrival of Her Majesty's ship "Brisk" at this port, I accompanied Commander Seymour to the Secretary's office, and there could obtain no other information than that the said six prisoners were still on board the ponton, and at the disposition of the General of Marine.

I consequently applied to him for leave to Commander Seymour to visit them, and he reported to me that the three sailors, Hersey, Robinson, and Radcliffe, were of the number, and had claimed British protection.

Knowing also from the Acting-Consul of the United States that the three American sailors belonging to the "*Jasper*," who were first brought here, were being dealt with in the process against them, not as having belonged to a vessel employed in the Slave Trade, but as persons who had, upon their being arrested, made false declarations as to their origin, for which the Fiscal had asked that they should be subjected to four years' punishment in the chain-gang; I applied for the delivery of said three British subjects to Commander Seymour, as shipwrecked seamen, which they had reported themselves to be; knowing also that from the 22nd of October to the 9th instant their declarations had not been taken, and that until the date of my application they had not been placed for trial at the disposition of the Royal Audiencia, as they ought to have been, for having belonged to the slaver "*Jasper*."

I have now the honour of laying before your Lordship a copy of the correspondence which I have had with the General of Marine and the Captain-General upon this subject, and I hope that your Lordship will approve of my employing counsel for these British subjects' defence, by which means I propose that the whole case of the violation of the Treaty by the "*Jasper*" shall be brought under the notice of the Royal Audiencia, and conduce to the discovery of the truth of that most disgraceful affair, respecting which I have the fullest information, and which may probably be used upon the men's trial.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 625.

Consul-General Crawford to the General of Marine.

Havana, November 8, 1853.

THE commander of Her Britannic Majesty's sloop "Brisk" has just seen the sailors who say they have been shipwrecked, and who are on board the hulk or advanced vessel.

Amongst them the Commandant, Mr. Seymour, has recognized the following, viz., John Radcliffe, William Hersey, and Charles Robinson, as subjects of Her Britannic Majesty, and who have claimed his protection; and as the "Brisk" sails to-morrow morning I have to beg of your Excellency the favour of ordering the commandant of the aforesaid hulk to deliver to the officer charged with that service by Captain Seymour the said English sailors.

God preserve, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 2 in No. 625.

The Secretary to the General of Marine to Consul-General Crawford.

(Translation.) *Havana, November* 9, 1853.

THE individuals referred to in your Honour's communication of yesterday, whose delivery you ask for, as having proved themselves to be British subjects, and who are actually deposited on board the ponton "Villavicencia," I have placed at the disposition of his Excellency the Governor and Captain-General on the 22nd of last month, as Americans belonging to the ship of the United States "*Jasper*," wrecked upon the Colorados, having given notice of the fact to the Consul of said Republic in this place; therefore your Honour may address yourself to said First Authority, who will resolve what he considers opportune upon the subject.

I say so to your Honour in answer to your communication, for such purposes as may be consequent.

God preserve, &c.

For the Admiral, being indisposed,

(Signed) CHRISTOBAL MALLER.

Inclosure 3 in No. 625.

Consul-General Crawford to the Captain-General of Cuba.

(Translation.) *Havana, November* 9, 1853.

HAVING been informed of the circumstance that there are on board the ponton in this port, some foreign sailors, who say that they have been shipwrecked, and that amongst them there are some of my countrymen, I solicited leave from his Excellency the Commandant-General of Marine, for the commander of Her Majesty's corvette now in this harbour to go on board of said ponton for the purpose of informing himself of the circumstances.

Commander Seymour has seen the sailors referred to, and has found amongst them three individuals who are English, and who claim his protection, viz., John Radcliffe, Wm. Hersey, and Charles Robinson. After that, yesterday afternoon, I solicited the delivery of said Englishmen from his Excellency the General of Marine, copy of which I have now the honour of inclosing herewith to your Excellency.

His Excellency being indisposed, answered by his Secretary that he could not do anything in this business without your Excellency's authority, as will be proved by the letter of said Secretary, which I inclose (requesting that it may be returned); and under all these circumstances I apply to your Excellency, requesting that your Excellency will be pleased to order the three individuals, Radcliffe, Hersey, and Robinson, to be put at the disposition of the captain or commander of Her Britannic Majesty's ship "Brisk," and be delivered to the officer designated by said commander, to receive them on board the ponton, respectfully calling to your Excellency's attention the urgency of this business, from the circumstance that said steamer of Her Britannic Majesty intends going to sea this very day at mid-day.

God preserve, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 4 in No. 625.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, November* 9, 1853.

HIS Excellency the Governor Captain-General received your Honour's official letter of to-day, relative to the six sailors on board of the ponton in this port, and that the commander Mr. Seymour told your Honour that he saw amongst them three of his nation, whose delivery your Honour solicits.

In answer, his Excellency desires me to say to your Honour, as I do: that the said six sailors are the same to whom your Honour referred in an official letter of the 13th of July last, stating that they belonged to the African vessel called the corvette "*Jasper*," which landed a cargo of Bozal negroes near to Bailen, and who were on Cayo Cortez, respecting whom the information was obtained which could be had, and resulting therefrom that they were supposed to have embarked in a molasses vessel coming to this port.

Under these circumstances, as the proceedings respecting so scandalous an act as that which was perpetrated by the "*Jasper*," to whose crew the three individuals claimed by your Honour, as well as the other three their companions, belonged, I place them, of this date, at the disposition of the said superior tribunal for such purposes as may be convenient for said proceedings.

At the same time I return to your Honour, as asked for, the letter you inclosed from the adjutant of his Excellency the General of Marine, making known at the same time, by his Excellency's order, that your Honour will desist in future from addressing yourself to any authority of the island upon matters of this nature, or of anything analogous, excepting to his Excellency the Governor Captain-General.

God preserve, &c.

(Signed) LORENZO DEL BUSTO,
Political Secretary.

Inclosure 5 in No. 625.

Consul-General Crawford to the Captain-General of Cuba.

Havana, November 11, 1853.

I HAVE to acknowledge to your Excellency the receipt of Mr. Secretary Busto's letter of the 9th instant, in answer to my request of the same date, for the delivery to Commander Seymour, of Her Majesty's ship "Brisk," of Charles Robinson, W. Hersey, and John Radcliffe, three British subjects, who were on board the ponton; and I observe that the said persons have, since the date of the answer now before me, been placed for trial at the disposition of the Royal Audiencia as having belonged to the slaver "*Jasper*," being the same individuals respecting whom I had occasion to address your Excellency as having been hidden upon one of the cays at Ensenada de Cortez by the slave-traders, whose cunning had baffled your Excellency's officers, who sought to discover them; and it is somewhat curious (if what these men state to Commander Seymour is true), that they travelled across the island, and were taken from the shore of the north side by the vessel in which they were brought as prisoners to this port.

I think it necessary to explain to your Excellency, that my object in applying for the delivery of these men to the commander of one of Her Majesty's ships-of-war was, that they might be dealt with according to their deserts, for the part they took in the unlawful expedition of the "*Jasper*;" and if it should be found that the British jurisdiction was incompetent, they should have been subjected to trial in the United States,

under which flag, the offence, I understand, was committed; but as your Excellency has determined to proceed against them here, it will be my duty to appoint counsel for their defence when the proper time comes for that purpose, and when the whole of the "scandalous" affair of the "*Jasper*," (as your Excellency most properly designates that violation,) comes before the Royal Audiencia.

And with regard to your Excellency's admonitory observations upon my conduct in this business, I have to state, that previous to my application to his Excellency the Commandant-General of Marine for leave to see the British subjects in question, I went to the Political Secretary's office, and was there informed that they were under detention of the General of Marine; and under those circumstances I had no hesitation in applying to his Excellency as I did, for permission to the Commander of the "Brisk" to see the prisoners, and ascertain whether in reality they were entitled to British protection.

With all due respect to your Excellency's authority, I beg leave to observe, therefore, that there has been no occasion whatever for the observations which your Excellency has been pleased to authorize, and consequently that they are altogether uncalled for.

I have, &c.

(Signed) JOS. T. CRAWFORD.

No. 626.

Consul-General Crawford to the Earl of Clarendon.—(*Received December* 12.)

My Lord, *Havana, November* 21, 1853.

I HAVE the honour of transmitting herewith inclosed to your Lordship, the copy of a letter which I addressed to the Captain-General on the 12th instant, denouncing a schooner which is lying at this port, and which is said to be coppered with the same copper, has the same masts, and carries the same sails as the "*Venus*," which was condemned as a prize to Her Majesty's frigate "Vestal;" the schooner which I have so denounced, being owned by the same parties, and intended to be called the "*Segunda Venus*."

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure in No. 626.

Consul-General Crawford to the Captain-General of Cuba.

Havana, November 12, 1853.

I HAVE information that a schooner is at present laying at Tallapiedra, in this harbour, nearly ready for sea, and intended to sail in a few days to be employed in the Slave Trade.

Said vessel is I understand coppered with the same copper, and has the same masts, spars, rigging, and sails which belonged to the "*Venus*," condemned and broken up under sentence of the Mixed Court at this place a few months ago, and it may be for that reason, or because the schooner now fitting out belongs to the same parties, that she has taken, or is to have, the name of the "*Segunda Venus*."

God preserve, &c.

(Signed) JOS. T. CRAWFORD.

No. 627.

Consul-General Crawford to the Earl of Clarendon.—(*Received December* 12.)

My Lord, *Havana, November* 21, 1853.

I HAVE the honour of laying before your Lordship the inclosed copy of a letter which it was my disagreeable duty to address to the Captain-General on the 12th instant, complaining of another violation of the Treaty for the suppression of the Slave Trade, which took place about the middle of last month at the Ensenada de Cochinos, where upwards of 300 Bozal negroes were landed.

The Lieutenant-Governor of Cienfuegos, some time after the disembarkation had been effected, proceeded in that direction and somewhere about the Ensenada apprehended two countrymen and fourteen Bozal negroes whom he supposed had to do with, and that the negroes belonged to the cargo in question; but there are so many Bozal negroes to be met with in almost every direction, that it is extremely difficult to ascertain to which of the numerous expeditions they may have belonged.

I understand that several cargoes have been run and are continually arriving, all of which are safely landed at whatever places they may come to, and that it is only after the fact that the vigilance of the Government officers is manifested, when the slaves are safely bestowed upon the estates, where it is against the law to follow them.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure in No. 627.

Consul-General Crawford to the Captain-General of Cuba.

Havana, November 12, 1853.

I HAVE received information from the Acting British Vice-Consul of Cienfuegos that a cargo of Bozal negroes, consisting of upwards of 300, was landed at the Ensenada de los Cochinos about the middle of last month.

I have also been informed that a cargo of slaves from Africa was landed four or five days ago at some place to the westward of this port, on the north side of the island, probably the expedition of which I had the honour of verbally notifying your Excellency on the 8th ultimo, but I have not been able to ascertain the exact number of Bozals disembarked upon this occasion.

God preserve, &c.

(Signed) JOS. T. CRAWFORD.

No. 628.

The Earl of Clarendon to Consul-General Crawford.

Sir, *Foreign Office, December* 19, 1853.

I HAVE received your despatch of the 21st ultimo, stating that the three British seamen who belonged to the slave-vessel "*Jasper*" have arrived at the Havana, and reporting the steps which you have taken with regard to their identification, and in order to provide for their being tried by the tribunal of Royal Audiencia; and I have to acquaint you that Her Majesty's Government approve your proceedings in this affair.

I am, &c.

(Signed) CLARENDON.

No. 629.

Consul-General Crawford to the Earl of Clarendon.—(*Received January* 5, 1854.)

(Extract.) *Havana, November* 26, 1853.

I HAVE the honour of acknowledging the receipt of your Lordship's despatch dated the 10th ultimo, transmitting to me the copy of a despatch from Mr. Otway, stating that the Spanish Minister for Foreign Affairs had promised him to issue private instructions to the Captain-General of Cuba to treat me with the consideration and courtesy due to my official position. The instructions promised by the Spanish Minister ought to have been received by General Cañedo upwards of a month ago, supposing them to have been sent by the mail from Spain of October which arrived on the 26th of that month, and your Lordship will observe that they have been productive of no change whatever in his Excellency's tone or official treatment towards me; since in my despatch of the 19th instant, I found myself again under the disagreeable necessity of complaining of the Captain-General's disrespect and disregard of the instructions of Her Majesty's Government in the execution of my duties as Her Majesty's Consul-General, notwithstanding that I had been careful to state in the communications which I addressed to his Excellency that I was acting according to such instructions.

No. 630.

Consul-General Crawford to the Earl of Clarendon.—(*Received January* 5, 1854.)

My Lord, *Havana, November* 29, 1853.

I HAVE the honour of acknowledging the receipt of your Lordship's despatch of the 25th ultimo, in which your Lordship was pleased to acquaint me that Her Majesty's Government approve of my having pointed out to the Captain-General of Cuba that he was not at all borne out in assuming that the Treaty of June 1835, between Great Britain and Spain, only relates to the Trade in Negroes imported from the coast of Africa, which interpretation of the said Treaty his Excellency seemed to inculcate in his correspondence with me, which I did myself the honour of transmitting to your Lordship with my despatch of the 28th of August last, upon the subject of the trial and conviction at Belize, British Honduras, of a person named Anduze, who was found guilty of decoying native Indians from Yucatan, and sending them here to be dealt with as slaves.

The satisfaction which I have experienced in receiving so flattering an expression of your Lordship's high approbation, is, I regret to feel obliged to state, most sadly contrasted with the apparent determination of these authorities to pass over the criminal participation of Don Francisco Marty y Torrens, the said Anduze's partner in these man-stealing transactions, and the little probability there seems to be that the efforts of the Mexican Government will be effectual to obtain the liberation of the kidnapped Indians, and their restoration to their families in Yucatan.

The proceedings have, I understand, been transferred from the Royal Audiencia to the Auditoria de la Marina. M. Marty y Torrens having the grade of captain in the Spanish navy, claimed his privilege of trial in the Marine Court; but the Royal Audiencia, strangely enough (as it seems to

me) at the time of transferring the case to the other tribunal, ordered the 39 Indians who had been placed in deposit, to be returned to Marty, and there, I believe, the matter will be allowed to rest.

I have, &c.
(Signed) JOS. T. CRAWFORD.

No. 631.

Consul-General Crawford to the Earl of Clarendon.—(*Received January* 5, 1854.)

My Lord, *Havana, November* 29, 1853.

I HAVE the honour of acknowledging the receipt of your Lordship's despatch of the 26th ultimo, approving of my having applied to the Captain-General for access to three British subjects who belonged to the "*Jasper*," and who were supposed to be concealed in the Ensenada de Cortez, and acquainting me that your Lordship had sent a copy of my despatch of the 29th August to the Lords of the Admiralty, and had moved their Lordships to direct that an officer commanding one of Her Majesty's ships of war on the West India station, might be ordered to concert with me the best means of rescuing and disposing of the three British subjects in question.

In the furtherance of this service, Her Majesty's screw steamer-sloop "Brisk," Commander Seymour, was despatched by the Commodore from Port Royal, Jamaica, and your Lordship will have seen by my despatch of the 21st ultimo and inclosures, that the said three British mariners who were on board the "*Jasper*," had already been brought to this port, and that they had been handed over to the Royal Audiencia Pretorial for trial, upon my making application for their delivery to Commander Seymour.

In that despatch I submitted to your Lordship's approval the appointment of counsel for these men's defence, with a view also of bringing before the Court the entire case of the violation of Treaty by the "*Jasper*," which might conduce to the discovery of the whole truth of that most disgraceful affair, in which the parties concerned have been screened by no less than four special commissions appointed by the Captain-General, and neither the Government officers who connived at, nor the slavers who were engaged in the transaction have been punished; for although the Lieutenant-Governor of Pinar del Rio has been suspended for the part which he enacted, and it is beyond a doubt that he received 6,000 dollars for his share, like Brigadier Pavia at Matanzas he will surely be reinstated, because of the great difficulty there always will be in proving such charges in the tribunal here.

I now beg leave to lay before your Lordship a translation of the Secretary's answer by direction of General Cañedo to my request to be allowed to appoint counsel for the defence of these men, his Excellency desiring the Secretary to acquaint me that he could not allow me to do so, but that the Royal Audiencia would in due time name a defender on their behalf. I can therefore only watch the proceedings, and do the best I can with the counsel which the Court may think proper to appoint, provided he has the courage to bring forward all the information which I have it in my power to furnish relative to the whole transaction: but I doubt exceedingly if any lawyer so selected by the Court, would be allowed to introduce matter in the defence of these British subjects which might implicate many of the authorities, and lead to the detection and punishment of all the parties concerned.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure in No. 631.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

Havana, November 23, 1853.

HIS Excellency the Governor Captain-General received your Honour's official letter of the 11th instant, in answer to that which, by his order, I addressed to you on the 9th, referring to the English sailors of the crew of the barque "*Jasper*," which landed Bozal negroes at Bailen; and having informed himself of what your Honour states, he orders me to say to you that it is not allowed to permit you to name the counsel to which your Honour alludes for the defence of the sailors, for that the Royal Audiencia Pretorial, which has the jurisdiction in their trial as prisoners of the reprobated traffic of Africa, to whose sentence they are subject, will have provided in their case, according to the laws of the kingdom, the nomination of a defender for said individuals.

God preserve, &c.

(Signed) LORENZO DEL BUSTO,
Political Secretary.

No. 632.

Consul-General Crawford to the Earl of Clarendon.—(Received January 5, 1854.)

My Lord, *Havana, November* 30, 1853.

I HAVE the honour of acknowledging the receipt of your Lordship's despatch dated the 27th ultimo, conveying to me your Lordship's high approval of my having addressed a letter to the Captain-General of Cuba, respecting five slave-vessels which had sailed from New York for the coast of Africa, with the intention of conveying slaves from thence to this island.

In a port of such extent as that of New York it would be matter of great difficulty for Her Majesty's Consul to obtain information of such vessels being equipped and dispatched for carrying on the Slave Trade, the more so, as very probably they do not clear out for the coast of Africa; but, as the island of Cuba is now pretty well watched by Her Majesty's cruizers, I am of opinion that most of the slavers will be purchased and fit out and sail from the ports of the United States. I have even heard it whispered here, that some steamers may be bought, or built, on purpose for the Slave Trade, and I therefore most respectfully venture to suggest to your Lordship that the attention of the Government of the United States should be requested to this matter, and to the prevention of slaver fittings being put on board of any vessels purchased by Portuguese, Spaniards, or Brazilians, and that Her Majesty's Consular officers should also give their attention to this matter, and especially to the circumstances of the purchase of, or contracting for the building of steamers by Spaniards, Brazilians, or Portuguese within their respective stations.

I am, &c.

(Signed) JOS. T. CRAWFORD.

No. 633.

Consul-General Crawford to the Earl of Clarendon.—(Received January 5, 1854.)

My Lord, *Havana, November* 30, 1853.

I HAVE the honour of acknowledging the receipt of your Lordship's despatch of the 31st ultimo, transmitting for my information a copy of a despatch which your Lordship had received from Her Majesty's Consul in the Bight of Biafra, containing intelligence as to the proceedings of a

slave schooner, under Spanish colours, in the River Brass, between the 17th and 28th of July last; and also your Lordship's despatch of the 1st instant, transmitting a copy of a despatch which your Lordship had received from Mr. Campbell, Her Majesty's Consul at Lagos, stating, that about the end of the month of May last a barque, called the "*Manuelita*," American built, but hoisting Spanish colours, shipped 654 slaves in the neighbourhood of Aghwey; and also that dated the 1st instant, which transmits information which your Lordship had received through Her Majesty's Minister at Lisbon from the British Vice-Consul at Terceira, respecting a Portuguese vessel called the "*Laura*," which had arrived at that island from Madeira, ostensibly with the intention of carrying colonists to Brazil, but suspected to be in reality intended for the Slave Trade.

I shall address the Captain-General upon the several subjects of these despatches of your Lordship, but I propose deferring the matter until after the arrival of his Excellency the Marquis de la Pezuela, the new Governor, who is daily expected by the Spanish mail-steamer from Cadiz, now over due.

The schooner alluded to in the inclosure of your Lordship's despatch of the 31st ultimo, as well as the barque which took in 654 slaves the end of May last, referred to in Mr. Campbell's despatch from Lagos, inclosure in your Lordship's despatch of the 1st instant, must have long since disposed of their cargoes; and if they came to the coast of Cuba they have no doubt been successfully landed.

As respects the "*Laura*," subject of your Lordship's second despatch of the 1st instant, I hope that the information which has been given by the British Vice-Consul of Terceira will be available towards her capture, as she can hardly have made the voyage to Africa and have brought her cargo of slaves here by this time.

I have, &c.
(Signed) JOS. T. CRAWFORD.

No. 634.

Consul-General Crawford to the Earl of Clarendon.—(*Received January 5*, 1854.)

My Lord, *Havana, December* 1, 1853.

IN obedience to your Lordship's direction, which I received in a despatch from Lord Wodehouse, dated the 21st of October last, the receipt of which I now beg leave to acknowledge, I have the honour of stating to your Lordship, with reference to M. Julian Zulueta's release from prison, the circumstances of which I reported to your Lordship in my despatch dated the 9th of August, that it has not come to my knowledge that a public dinner was given to M. Zulueta upon his liberation from the fortress of Cabañas, to which place he had been committed.

I have inquired whether any such demonstration has taken place, and I can assure your Lordship the statement in the English papers to that effect is totally untrue.

I have reason to believe that M. Zulueta, since he was allowed to return to his own house, upon the plea of impaired health, has been relieved from the judicial restraint under which he was, and moves about where and when he pleases. I have not, however, been able to ascertain that he has been formally put at liberty; and I had certain information, very recently, that his case, which was pending before the Royal Audiencia Pretorial, at Puerto Principe, had not been decided, because of the complicity of other parties, which rendered it expedient to delay the sentence, and that it was not likely to be promulgated during the Government of General Cañedo.

I have, &c.
(Signed) JOS. T. CRAWFORD.

No. 635.

The Earl of Clarendon to Consul-General Crawford.

Sir, *Foreign Office, January* 14, 1854.

WITH reference to your despatches of August 29, September 30, and October 1, of last year, reporting that landings of Bozal negroes had been effected on the coast of Cuba at San Juan de los Remedios, at the Ensenada de Cortez, and at the Ensenada del Carmelo, I transmit to you herewith a copy of the answer* returned by the Spanish Minister for Foreign Affairs to two notes which, in pursuance of my directions, Her Majesty's Chargé d'Affaires at Madrid addressed to M. Calderon de la Barca on the 23rd of October and on the 10th of November, respecting these landings of Bozal negroes.

I have to desire that you will make further inquiry into these three cases, and that you will report the result to me. And with reference to the statement in Señor Calderon's note, that some Spanish vessels of war had made a careful search, but had not been able to discover any trace of the half-burnt hulk of the slaver out of which you reported that the negroes had been landed at the Ensenada de Cortez, and which, in your letter to the Captain-General, you characterized as exhibiting "a most insulting memento of the disregard shown to the law," I have to desire that you will state whether, when you wrote to the Captain-General, you knew that the remains of the burnt vessel were visible.

I am, &c.

(Signed) CLARENDON.

No. 636.

Consul-General Crawford to the Earl of Clarendon.—(*Received January* 17, 1854.)

My Lord, *Havana, December* 2, 1853.

I RESPECTFULLY refer to my despatch of the 21st ultimo, relative to a disembarkation of slaves which took place shortly before that time at the Ensenada de los Cochinos; and another which I denounced to the Captain-General as having been effected on the north side of the island, at a place to the westward of Havana.

I have now the honour of laying before your Lordship a copy of the answer which I have received from the Secretary by his Excellency's orders, admitting the exactness of my information with regard to the first of these denouncements, and stating that no information had been received respecting the other violation; but assuring them that, at any rate, the disembarkation was not that which I had verbally denounced to his Excellency on the 8th of October, which I did myself the honour of reporting to your Lordship in my despatch dated the 8th of October.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure in No. 636.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, November* 23, 1853.

HIS Excellency the Governor Captain-General received your Honour's official letter of the 12th instant, respecting a disembarkation of Bozal negroes at the Ensenada de Cochinos; and another, which is said to have taken place, according to what you have been informed, at a place to the westward of this port on the north of the island.

In reply, he orders me to say to your Honour that, with regard to the

* Inclosure in No. 484.

first, various Bozals had been captured belonging to that island; and energetic measures analogous thereto had been adopted previous to the receipt of your said letter, although the number is not certain; and as regards the second case, no intelligence has come to his knowledge, feeling himself authorized at any rate to say to you that your suspicions as to this supposed disembarkation being that which was verbally denounced to him on the 8th of October last are devoid of all foundation.

God preserve, &c.

(Signed) LORENZO DEL BUSTO,
Political Secretary.

No. 637.

Consul-General Crawford to the Earl of Clarendon.—(*Received January* 17, 1854.)

My Lord, *Havana, December* 10, 1853.

I HAVE the honour of reporting to your Lordship that his Excellency Lieutenant-General the Marquis de la Pezuela arrived here on the 2nd instant, and on the 3rd he took upon himself the Presidency of the Royal Audiencias, Government and Captain-Generalship of this island, relieving Lieutenant-General Don Valentin Cañedo of his command.

I had an audience of his Excellency on the 4th, to pay my respects and offer to him my congratulations upon his safe arrival, and his having assumed the duties of his Government, when I experienced a perfectly cordial reception.

I regret to state that a smart attack of fever, from which I am now recovering, has prevented my having had any other interview with the new Governor, so that I have not had any general conversation with his Excellency.

I have, &c.
(Signed) JOS. T. CRAWFORD.

No. 638.

Consul-General Crawford to the Earl of Clarendon.—(*Received January* 17, 1854.)

My Lord, *Havana, December* 20, 1853.

I AVAIL myself of the earliest opportunity to acquaint your Lordship that this day an official article appeared in the "Gazette," of which I have the honour herewith to transmit a copy of your Lordship, the anniversary of the birth of the heir-apparent to the Throne of Spain having been selected for the manumission of certain of the emancipados; and I proceed to embody in this despatch a translation of the proclamation, or order, which has been addressed to the President of the Commission for the branch of emancipados, his Excellency the Conde de Cañongo.

"Most Excellent Sir,

"In obedience to the sovereign will of Her Majesty, and in celebration of this happy day which records the birth of the august heir direct to the Throne of St. Ferdinand, I have disposed to declare the freedom of the emancipados of longest standing who remain in deposit, and who belong to the various prizes which were made previous to the year 1835. But because of the bad use which the greater part of them may make of their freedom, for want of capacity, which might oblige the Government to limit that freedom in another form, withdrawing with one hand, and placing with the other in the correctional establishments as vagrants, those whom, under the generous and Christian impulses of charity and philanthropy, they had freed, I have resolved, in order that this concession may be carried into effect with due order and arrangement, and without injury to the interests of any kind (without prejudice to my judgment upon such

cases of doubt which may occur to this respectable Commission), to dictate, for the present, the following rules which shall serve as the basis in similar cases which in future present themselves:

"The emancipado declared free, as long as he remains in the island, is under the care and tutelage of the paternal authority of the Government, whose permission he may reckon upon for his establishment and domicile.

"It shall be optional for him to continue to serve the master (patrone) to whom he is now subject, or to change, if another presents himself more to his liking.

"The master shall maintain him, and make good to him wages, which shall not be less than 6 dollars a-month for males, and 4 dollars for females; this contract shall be made for periods of one year only, which may be renewed with consent of both parties, with the knowledge of the authorities and under their protection.

"Parties (patrones) who have a right over the labour of negroes who were assigned to them, shall be indemnified by this Commission, which shall take care under my direction to do so immediately. For this purpose and for the maintenance of the fund of the emancipados, each of those freed shall leave in deposit such part of his wages as the Commission thinks absolutely necessary to meet this and the other charges which fall upon it, but this retention shall never exceed the third part of their established wages.

"The punishments which the masters (patrones) of these freed emancipados may impose upon them, shall not be others than those established in the regulations for the free labourers who are employed on rural properties.

"I expect that this Commission, assisted in whatever it requires by the Secretary of my Government, will carry out with the greatest exactness the dispositions herein contained, thus giving a new proof of the zeal which distinguishes its members in the service of their Queen and country.

"God preserve, &c.

(Signed) "The Marquis de la Pezuela.

"*Havana, December* 23, 1853."

Of course it is impossible to have any idea how this measure will work, nor whether it will be effectual to free all the emancipados captured up to 1835.

The working it out, your Lordship will observe, is entrusted to the Spanish Commission which was established here by General Don José de la Concha. The measure does not include any emancipados who are less than of eighteen years' standing; and indeed, as the expression in the Decree is "hasta el año de 1835," I am disposed to think that those of that year are not included in the limited benefit which is conferred by this measure; and I am apprehensive that altogether it is not such as was anticipated by your Lordship, or that which Her Majesty's Government had a right to expect.

I am, &c.

(Signed) JOS. T. CRAWFORD.

No. 639.

Consul-General Crawford to the Earl of Clarendon.—(*Received February* 3, 1854.)

My Lord, *Havana, December* 28, 1853.

I HAVE the honour of acknowledging the receipt of your Lordship's despatch dated the 8th ultimo, acquainting me that the attention of the Spanish Minister for Foreign Affairs had been called by Mr. Otway, Her Majesty's Chargé d'Affaires at Madrid, under your Lordship's instruction, to the non-fulfilment of the promise made to Lord Howden by Count

Alcoy, to the effect that all the emancipated negroes now in Cuba, under the Treaty of 1817, should receive their freedom on the expiration of their apprenticeship; and transmitting to me a copy of a despatch which your Lordship had received from Mr. Otway, inclosing translation of a note from M. Calderon de la Barca, stating, that most peremptory orders had been sent to the Captain-General, directing him to carry out at once the decision of the Spanish Government that these persons should be liberated.

In obedience to your Lordship's instruction to report whether those orders are obeyed, I have to state to your Lordship, that on the 20th instant an order was published in the "Gazette," a copy of which I did myself the honour of transmitting to your Lordship with my despatch dated the same day, in which despatch a translation is embodied.

According to that Decree the emancipados captured up to 1835 (not inclusive) are to receive their free papers, but they are to remain "under the care and tutelage of the paternal authority of the Government."

By the conditions to which they are subjected, your Lordship will perceive that these persons who are so liberated, cannot be considered as free to act for themselves; and that a portion of their earnings is to be taken from them (it may be as much as one-third) for the keeping up of a fund to be called that of the emancipados, &c.

But the worst feature of this measure in my opinion is, that Her Majesty's functionaries have no intervention in its working, so that the emancipado has no protectors recognized by the Spanish Government, and already Her Majesty's Judge and myself have had our offices beset with them, complaining that they are not fairly dealt with.

Of these, a case* has been selected by Mr. Backhouse, who has addressed an official letter to me respecting him, copy of which I have sent to the Captain-General, and the result I hope to be able to report upon the correspondence which I shall have the honour of laying before your Lordship, herewith inclosed.

Neither to me, nor, so far as I am aware, to the Mixed Court, has any official communication been addressed by the Captain-General regarding this measure, and from that circumstance I am apprehensive that our intervention may be objected to.

The want of the lists or registers, stipulated for by the Treaty of 1835, which, notwithstanding the assurances of the Spanish Government, and the orders sent to the Captain-General, have never been furnished, is now become a matter of very serious consideration; since without them, even if the effectual protection which they are sure to need, were permitted, these ill-used people are exposed to the practice of the greatest iniquities to retain them in slavery.

I would by no means, my Lord, be understood to reflect upon the honest intentions of his Excellency the Captain-General, nor of his Excellency the Count Cañongo, who is the President of the "Comision de los Emancipados," whose character is irreproachable; but I must beg leave to impress upon your Lordship that the emancipado must have efficient protection to secure for him the freedom to which he is entitled, which Her Majesty's Government has at last obtained for him, and that if we are to be his protectors, the information which has been so unwarrantably withheld, must no longer be refused by the Spanish Government here under such pretexts as have hitherto been put forward—as that of Her Majesty's Consul-General not being entitled to ask; nor Her Majesty's Commissary Judge, unless he is acting in concert with his Spanish colleague, who, they know full well, will not join Mr. Backhouse in calling upon the Captain-General for the lists or register of the emancipados according to Articles V and VI of Annex C to the Treaty of 1835. Because it is not expressed that the Mixed Court is authorized to apply for said registers, the Spanish Judge objects to address the Captain-General upon the subject, and the latter has neglected to comply with that stipulation of the Treaty

I have, &c.

(Signed) JOS. T. CRAWFORD.

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* That of a poor man who was captured in the year 1829, on board the slaver "*Firme.*"

Inclosure 1 in No. 639.

Her Majesty's Commissary Judge to Consul-General Crawford.

Sir, *Havana, December* 27, 1853.

I HAVE to state to you that I have lately been called upon by a negro, who stated that he was an emancipado, and wished for liberty.

He said his name was Marcelino Urutia; his nation he described by calling himself "Mina."

He said he was captured a long time ago in the Spanish brig "*Firme,*" during the Captain-Generalship of General Vives, and that the vessel was brought in to the Havana with all the negroes on board.

I have to observe that the "*Firme*" was captured near St. Kitt's, by His Britannic Majesty's ship "Grasshopper," in November 1828, and was brought in and condemned by the Mixed Court early in December in the same year. Marcelino said that his first owner, Donna Maria de Jesus Urutia, under whom he learnt a trade, which he has ever since followed, that of cigar-maker, delivered him up to General Tacon; that he was then assigned to Don Maximo Mora, owner of a sugar estate in this island, called Dolores; that he was again delivered up to the Government the day after General Concha left the Havana, which was in April 1852; and that he was then assigned to his present owner, Don Miguel Cabello, who holds a situation in the Political Secretary's office. Marcelino says he works at present in the cigar manufactory of Don José Maria Montero.

Marcelino states that within the last few days he made an endeavour to make his case known, and to have it properly dealt with, but that his present owner, Don Miguel Cabello, told him he had a year longer to serve.

I have to request that you will lay this case before his Excellency the Captain-General, in order that it may be properly investigated and justly dealt with, which it could not be, if, supposing Marcelino's statement to be correct, he were detained a year longer in servitude.

I have, &c.

(Signed) G. C. BACKHOUSE.

Inclosure 2 in No. 639.

Consul-General Crawford to the Captain-General of Cuba.

Havana, December 29, 1853.

I BEG leave to lay before your Excellency the copy of a letter which I have received from Her Majesty's Commissary Judge, respecting an emancipado who was captured on board the "*Firme,*" and who ought to be included amongst those to whom your Excellency has conceded papers of freedom, under the decree of the 20th instant; but it appears that in this case the person to whom said emancipado was assigned attempts to retain him in servitude, alleging that he has still a year longer to complete his term.

The injustice attempted to be practised towards this unfortunate person seems to be so manifest, that Mr. Backhouse considers it his duty to bring the circumstance as soon as possible under the superior knowledge of your Excellency.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 3 in No. 639.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.)

My dear Sir, *Havana, January* 2, 1854.

HIS Excellency the Governor-General cannot now admit claims on behalf of the emancipated negroes who have been declared free by an Ordinance of the 1st of this current year, because in that the rights of each of them are established and the mode of claiming them. I shall notwithstanding tell you that the negro of whom you treat shall be freely engaged with his present master, or any other, to work for his wages, and that we are at present engaged in carrying out these dispositions as speedily as possible, but it is not possible to contract, as your Honour must be aware, many hundreds of men in four days, who are scattered all over the island; and for your Honour's government the Judge of the Mixed Court may make himself easy that what the authority has directed has to be carried into effect, without any remedy whatever, and that the most philanthropic man cannot surpass our actual General in benevolent ideas towards these poor people.

With this object, I repeat, &c.

(Signed) JOSE ESTEVAN.

No. 640.

Consul-General Crawford to the Earl of Clarendon.—(*Received February* 3, 1854.)

My Lord, *Havana, December* 28, 1853.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 23rd ultimo, transmitting a copy of a despatch which your Lordship had received from Her Majesty's Consul at Bahia, stating that he has reason to suspect that slave-trading speculations are being carried on from that port, in conjunction with the slave-dealers in this island.

I shall make a corresponding communication to the Captain-General upon this subject, and bring under his Excellency's attention the places where, so far as I have been able to learn, these joint expeditions are likely to present themselves.

I have, &c.

(Signed) JOS. T. CRAWFORD.

No. 641.

The Earl of Clarendon to Consul-General Crawford.

Sir, *Foreign Office, February* 8, 1854.

ON receipt of your despatch of the 30th of September last, I instructed Her Majesty's Chargé d'Affaires at Madrid to suggest to the Spanish Minister for Foreign Affairs that he should communicate with Don Manuel Pastor, with reference to your report that on the 14th or 15th of September, 260 African negroes were landed at the Ensenada del Carmelo, and were conveyed from thence to the sugar estate called Bagaes, belonging to Don Manuel.

I now inclose a copy of a despatch* which I have received from Lord Howden, transmitting a copy of the answer which the Count de Bagaes has addressed to the Spanish Government, denying the statement that

* No. 488.

these negroes were received on his estate, and in calling your special attention to the denial, I have to instruct you to report to me such observations as you may have to make thereupon.

I am, &c.
(Signed) CLARENDON.

No. 642.

Consul-General Crawford to the Earl of Clarendon.—(Received February 14.)

My Lord, *Havana, January* 2, 1854.

I HAVE the honour of transmitting herewith to your Lordship a translation of a Decree, dated the 1st instant, which has been issued by his Excellency the Governor Captain-General, declaring all the emancipados to be free; those who have not been five years in the hands of the Government to be considered as apprentices, and at the expiry of that period to be free, like the others who have been in a state of probation for a longer period.

The Board alluded to in the Decree has been established, and is in the execution of its duties; great numbers of the emancipados have been sent in, and up to this date I understand they amount to some thousands. The rate of wages fixed by the Board, and approved by the Government, is 8 dollars for men, 6 dollars for women per month for those freed, and 6 dollars for males, 4 dollars for females per month for those who are freed apprentices, and in proportion for those of this latter class who are minors.

The operations of the Board are, I understand, most vigilantly watched by the Government, and the placing of these freed people is being proceeded with in the most expeditious and pressing manner; so that I have every reason to hope they will all, or nearly all of them, be earning wages for themselves within a very few weeks..

It is to be regretted that this great and beneficent measure had not been carried out in sections of the emancipados, because the freeing of so many all at once has caused a considerable sensation here, which would in a great measure have been avoided had they begun six months ago with those longest in captivity.

I shall do myself the honour from time to time of reporting to your Lordship upon this important subject, in which, so far, it appears that his Excellency the Captain-General takes a most lively interest.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure in No. 642.

Decree.

(Translation.) *Political Secretary's Office.*

HIS Excellency the Governor Captain-General has been pleased to order the following to be published in the Government "Gazette:"

Ordinance of the Emancipados.

ART. I. The negroes known by the names of the emancipados are free, all of them; those who have been five years in the power of the authorities, and who have attained sixteen years of age, shall obtain their letters of freedom, and those who remain in the island shall dispose of their wages, to which they have a right, without other deduction than that which is for the deposit of a part, which shall not be more than one-fourth.

II. Those who have not been five years shall differ from the others only in that they cannot dispose of the fruit of their labour, which is to be under administration during their apprenticeship.

III. A Commission named by the Governor-General, of which the syndics of the City Council shall absolutely form a part, shall administer these funds, and take care of the emancipados, in the manner which is established by this Ordinance, and which shall be called "The Board for protection of Emancipated Negroes."

IV. As soon as the Government decrees the manumission of emancipados who are out of their apprenticeship, their patrones (masters) who have them shall be called upon, through the medium of the "Gazette," to present them within the improrogable term of five days, if they are in this city, or of fifteen if out of it, with the understanding that those who do not do so shall incur a fine of 50 to 100 dollars, which fine shall be recovered summarily and exclusively, without regard to a heavier penalty, and that they be sent for at the charge of the defaulters, as to whom experience has shown the most lamentable abuses, which the authorities are determined to extirpate at all hazards.

V. The freed person shall engage himself, under the intervention of the Government, with a patron (master) for the period of one year, with the conditions and in the manner which the following form of contract expresses:

I, a freed emancipado, of nation, number belonging to the vessel declare that I have freely and spontaneously contracted with the Government for the term of years to work at what I may be ordered in the customary hours of the day, subjecting myself to the person to whom this contract may be transferred (with my consent), and to his representatives for carrying on the work, whom I shall obey and respect, as they may compel me thereto in a lawful manner, according to what is prescribed in the ordinance of colonists. There shall be made good to me for my labour hard dollars per month, from which a fourth part shall be discounted, which the Government will retain to cover the charges of this branch; they shall feed me, and give me two changes of clothing a-year; curing me, and attending to me in sickness, without obliging me to work till I am entirely well, deducting my wages for the days lost from that cause; nor can they oblige me to work on Sundays or holidays with double cross; for these I may use to my own benefit. In faith of which I execute this contract before the President and Secretary of the Protection Board of Emancipados, who in the name of the Government signs it, I signing it with a ⋈, not knowing how to write.

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The President,

Secretary.

This contract is transferred in the name of the Government in favour of who signs it in proof that he has accepted it, and remains bound to fulfil it religiously, or, in the contrary event, he will be compelled to do so by the means indicated in the regulation of the colonists.

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The President,

Secretary.

VI. The patron (master) shall deliver to the liberated emancipado his pay monthly and into deposit, the fourth part annually in advance.

VII. In order that the consignations should have the most beneficial effect towards the contracted and the most convenient choice of the patrones (masters), all applications soliciting liberated emancipados shall be addressed to the Government, who will pass them to the Board, by whom they will be returned, reporting whatever may be just for the concession or denial of the applications.

VIII. If any of the assigned emancipados desire for any reason to change their patron (master or employer), the Board will hear their complaint; and if they find it just, they will communicate it to the Government for such measures as may be convenient; the Board will also be the organ of all claims to the authority, applying, through the same, in all cases analogous, what is prescribed in the Ordinance of the Colonists.

IX. If the patrones (masters or employers) wish to continue the freed person contracted for another period equal to the other, and he (the freed person) is agreeable thereto, it may be carried into effect by an annotation at the foot of the previous contract, but with the intervention of the nearest authority, who will give information thereof to the Government, and the Government will advise the Board for their information.

X. The emancipated apprentices shall be contracted for in the same form, but their settlement in the capital or in the neighbourhood is to be preferred, so that they may be at hand to the Board of Protection, or their wages shall be paid quarterly in advance.

XI. There shall be a treasurer for the care of these funds, and for that of all others which may be collected, who shall be a gentleman member of this beneficent Board, named by the Government, and proposed by the Board, as shall likewise be the President and Secretary.

XII. There shall also be an Administrator of the Depôt, who shall be a member of the Board, who shall have a salary proportioned to his trouble, assigned to him by the Government upon the proposition of the Board.

XIII. If any other employé should be indispensable, the Board will likewise propose it, bearing in mind how economical and simple should be the management of the poor's funds.

XIV. The Administrator of the Depôt will send in to the Board twice a week a classified statement of the entries and outgoings of the emancipados; but this is not to hinder them from giving information to the President of whatever thing of an extraordinary nature occurs at the depôt.

XV. Said administrator shall remain at the depôt with the greatest assiduity possible, and shall permit all those who present themselves with a written order from the President to visit and review those deposited.

XVI. For the indemnifications which the Board may have approved in justice to the patrons in any of the cases which are occasioned by the fulfilment (observance) of these rules, the Government Secretary shall expedite the corresponding order, authorized by the Governor-General; and without this requisite neither these nor any other payment shall be made.

XVII. The Board shall every month name a member who shall go and visit the emancipados remaining at the depôt; he shall inform himself personally as to those who, by reason of their advanced age, diseases, bad conduct, or other cause, have not gone out, and shall give an account to the Board, in order that they may suggest to the Government such measure as they may find convenient.

XVIII. The amount of wages to be earned either by those freed or by the apprentices shall always be the same amongst those of each class. The Board will fix that every year, taking into account the higher or lower rate for working hands; and with regard to the minors, they will always proceed preferring the beneficial protection which these unfortunates require to other interests.

XIX. The whole of the surplus which the wisdom of the Board may by their economy get together shall be applied positively for their benefit in particular, or for that of the emancipados in general of all classes, after covering the expenses incurred.

Havana, January 1, 1854.

(Signed) THE MARQUIS DE LA PEZUELA.

No. 643.

Consul-General Crawford to the Earl of Clarendon.—(*Received February* 14.)

My Lord, *Havana, January* 4, 1854.

I HAVE the honour of laying before your Lordship translation of a correspondence I have had with the Captain-General respecting a cargo of slaves which it was reported to me, by Her Majesty's Consul at Santiago de Cuba, had been landed somewhere in the district of Cienfuegos.

His Excellency, however, had better information, and having called on Acting Vice-Consul Fowler to account for his not having reported this infraction, it turned out that the Captain-General had been rightly informed, as the disembarkation took place in the district of Trinidad, at a place called San Juan.

I have, however, every reason to be satisfied with the manner in which my denouncement was received and acted upon by the Marquis de la Pezuela; Mr. Fowler having reported to me that by his Excellency's order the Lieutenant-Governor of Cienfuegos proceeded to investigate the circumstances, and it was in consequence of his proceeding thereupon that the Acting Vice-Consul was enabled to inform me correctly as to the place where this cargo had been landed.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 643.

Consul-General Crawford to the Captain-General of Cuba.

Havana, December 17, 1853.

I BEG to inclose herewith to your Excellency a copy of a despatch from Her Majesty's Consul at St. Jago de Cuba, respecting a disembarkation of 600 Bozal negroes from the coast of Africa, which was effected near Cienfuegos from on board a vessel under Spanish colours, commanded by Don Jaime Pol, a person who, the Consul states, has made more than one successful voyage in that unlawful Traffic.

This cargo, it is said, was intended to have been landed in the Province of Cuba, but the slaver was induced to change her course from having learnt that a British cruizer had been seen off the Morro. The negroes were disembarked with the greatest secrecy, and the vessel is said to have been afterwards destroyed.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 2 in No. 643.

Consul Forbes to Consul-General Crawford.

Sir, *Santiago de Cuba, December* 7, 1853.

I BEG to report for your information a late landing near Cienfuegos, in this island, of about 600 negroes from the coast of Africa, brought by a vessel under Spanish colours, commanded by Don Jaime Pol, a person

who has made more than one successful voyage in that unlawful Traffic.

The cargo in question is reported to have been intended for this province, but a vessel of war (probably Her Majesty's brig "Espiègle") having been sighted off the Morro, the slaver bore down to leeward, and having disembarked the negroes with the greatest secrecy, the vessel was afterwards destroyed.

I am given to understand that this expedition was got up in and despatched from Havana.

I have, &c.
(Signed) JAMES FORBES.

Inclosure 3 in No. 643.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, December* 18, 1853.

HIS Excellency the Governor Captain-General requests me to say to your Honour, as I do, that he has just received your communication of yesterday, relative to a disembarkation of African Bozal negroes near to Cienfuegos.

His Excellency had already on the 10th confidential information of this matter, although the place of landing was said to have been in the district of Trinidad, and in consequence he had that same day sent the necessary orders to the Lieutenant-Governor of the said place for the investigation of this affair, and the apprehension of the Bozals and others who may be culpable.

And finally that of this date he has given the like instructions to the Lieutenant-Governor of Cienfuegos, if it should be that it was in that district, and not in that of Trinidad, that, as had been said to him, the said disembarkation took place.

In fulfilling what his Excellency desires, I avail, &c.
(Signed) JOSE ESTEVAN.

No. 644.

Consul-General Crawford to the Earl of Clarendon.—(*Received February* 14.)

My Lord, *Havana, January* 5, 1854.

HIS Excellency the Marquis de la Pezuela having been pleased to grant their papers of freedom to the emancipada Escolastica and to the emancipado Demetrio, with the condition that they and the former's children should be sent out of the island, I thought it proper to ask that they should be allowed to remain, if they wished to do so, and accordingly addressed the Captain-General, pointing out the hardship to which they would be subjected if sent to a British island, which would be to them a foreign country, where they are unacquainted with the people, their customs, and language.

I have the honour and satisfaction of acquainting your Lordship that his Excellency at once acceded to my request, as is shown by the correspondence, copy of which I have the pleasure of inclosing herewith to your Lordship; and as I have not heard anything either of Escolastica and her children, or of Demetrio, since their liberation, I presume they have been quite content to remain here.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 644.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, December* 20, 1853.

HIS Excellency the Governor Captain-General, upon the solemn occasion of the day (viz., the anniversary of the birth of the heir-apparent to the Throne of Spain), and in obedience to the orders of Her Majesty to give letters of freedom to various emancipados, amongst whom are those named Demetrio, No. 295 of the brigantine "*Negrito*," and Escolastica, No. 77 of the "*Intrepido*," with her children, who are to leave the island; I say so to your Honour to the end that you will be pleased to state the day and the vessel by which they are to embark, in order to give the necessary orders for that purpose. In the meantime they are to remain at the depôt of the Royal Board of Trade.

God preserve, &c.

(Signed) JOSE ESTEVAN.

Inclosure 2 in No. 644.

Consul-General Crawford to the Captain-General of Cuba.

Havana, December 21, 1853.

I HAVE the honour of acknowledging to your Excellency the receipt of Mr. Secretary Estevan's communication of yesterday's date, acquainting me that your Excellency had, in celebration of the anniversary of the birth of the heir-apparent to the Throne of San Fernando, granted free papers to various emancipados, and amongst others to Demetrio, No. 295 of the brigantine "*Negrito*," and Escolastica, No. 77 of the "*Intrepido*," and her children, who are to be sent out of the island.

The earliest opportunity for the embarkation of these freed persons will be that of the British mail-steamer which should leave this port on the 9th proximo.

But I would respectfully entreat your Excellency that if they should be desirous of remaining here, and there is nothing objectionable in their characters to give rise to the expediency of their being sent away, they may be spared the mortification and suffering of being sent to another country, where they are unacquainted with the people, their customs, and the language, by their being permitted to remain.

I have, &c.

(Signed JOS. T. CRAWFORD.

Inclosure 3 in No. 644.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, December* 24, 1853.

HIS Excellency the Governor and Captain-General has received your letter of the 21st instant, requesting that the freed emancipados Demetrio No. 95, and Escolastica No. 77, with her sons, who have been ordered to leave Cuba, may be allowed to remain; and I am directed by his Excellency to inform you that having taken into consideration your application in favour of the said emancipados, he has been pleased to suspend his decision respecting them, and to allow them to remain in the island upon the same conditions as the other persons of the same class who have obtained certificates of freedom.

God preserve, &c.

(Signed) JOSE ESTEVAN.

No. 645.

Consul-General Crawford to the Earl of Clarendon.—(*Received February* 14.)

My Lord, *Havana, January* 7, 1854.

I HAVE the honour of transmitting herewith to your Lordship a copy of a circular* dated the 23rd of December last, which has been addressed by his Excellency the Marquis de la Pezuela, Captain-General of this island, to the Governors and Lieutenant-Governors, denouncing the Traffic in Slaves, and inculcating the exact observance of the Treaties with Great Britain of 1817 and 1835; accompanied by an Ordinance which is established and ordered to be observed for the service of the estates and rural properties by those who contract with the Captain-General Superintendent of the island, for the introduction of colonists or free labourers, Spaniards, Indians, Yucatecos, or Chinese, under the rules, regulations, and discipline which this circular and ordinance establish, and which supersedes the former Ordinance so much complained of, which was issued by Captain-General the Count Alcoy, subjecting the free labourers to the dominical law and corporal punishment of their masters or employers.

As all the contracts which had been entered into with parties who, being secured a certain sum by the Junta de Fomento or Board of Trade, engaged to bring Chinese labourers, are annulled by this Ordinance, it is a matter of speculation now for those who may adventure, or who may be able to make arrangements with planters or others for certain numbers; the responsibility of the Government is no longer pledged, although the introduction of colonists must be subject to its superintendence.

There is much that is exceptionable in these regulations, especially the number of passengers (four to the ton) which are allowed to be embarked on board vessels employed in such transport; but I am under the firm belief that few or none will ever be brought, unless the Ordinance is modified anew, and some encouragement held out by the Government to induce speculators to adventure in such a hazardous undertaking; besides, Spaniards will not be found, nor Yucatecos: Indians (coolies) and Chinese indeed they may get; but the voyage is too long and the charges too immense for the speculation being gone into without something certain being guaranteed by the Government.

I have, &c.

(Signed) JOS. T. CRAWFORD.

No. 646.

Consul-General Crawford to the Earl of Clarendon.—(*Received February* 14.)

My Lord, *Havana, January* 18, 1854.

I HAVE the honour of laying before your Lordship the copy of a correspondence which I have had with the Captain-General of this island, to whom I addressed a letter embodying the information which your Lordship did me the honour of communicating, and which had been received by your Lordship from Her Majesty's Chargé d'Affaires at Rio Janeiro, Her Majesty's Consul at Bahia, and from other Consular officers, all corroborative of extensive arrangements for carrying on the Slave Trade in conjunction with parties in this island. I had also occasion to address his Excellency respecting several disembarkations of slaves which have recently been effected at Trinidad and at Sagua, or in those districts.

I have much satisfaction in bringing this correspondence under your Lordship's notice, as a most unqualified assurance has in it been given of the determination of the Marquis de la Pezuela, by every means in his power, to put an end to the detestable Traffic; and your Lordship will not fail to observe that his Excellency had received with thankfulness the

* Class A, Inclosure 5 in No. 38.

circumstantial information which I was enabled to furnish from your Lordship's despatches, and had at once issued orders to seek for the parties named as being the agents of the Portuguese Brazilian Slave Trade Association, for the purpose of expelling them the island.

I have, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 1 in No. 646.

Consul-General Crawford to the Captain-General of Cuba.

(Extract.) *Havana, January* 11, 1854.

I BEG leave to acquaint your Excellency that I have received despatches from the Right Honourable the Earl of Clarendon, Her Majesty's Principal Secretary of State for Foreign Affairs, transmitting copies of despatches which his Lordship had received from Her Majesty's Ministers and Consuls at various places relative to the preparations which have been made for carrying on the Slave Trade upon an extensive scale, principally by a Brazilian-Portuguese company, in conjunction with parties resident in this Island of Cuba.

Her Majesty's Chargé d'Affaires at Rio Janeiro states that several vessels which were reported to have gone to the River Plata to fit out, have done so with the intention of proceeding from the coast of Africa with slaves to Cuba; and that he had been informed that a Roman vessel, the "*Maria*," which had acted in a similar manner in the month of March last, proceeded to the coast of Africa, and subsequently had succeeded in landing a cargo of slaves on this island. And Her Majesty's Chargé d'Affaires acquaints Lord Clarendon that the same information which he had received had reached the Brazilian Government, whose intention it was to employ the means they possess in keeping the Slave Trade under.

A suspicious vessel, called the "*Maria Isabel*," was at Rio, and another (formerly the "*Valoroso*," now the "*Eduardo*") had sailed under Sardinian colours on the 9th of October, with a cargo for England, from whence, as she belongs to a notorious slaver, Don Tomas de la Costa Ramos, it is conjectured she may proceed to the coast of Africa, to bring slaves here.

Her Majesty's Consul at Bahia de todos los Santos, of date October 1st, confirms, to the Earl of Clarendon, his former despatch with regard to the illegal speculations which were going forward from that port, in conjunction with slave-traders in the Island of Cuba; and he states that he is the more convinced of this suspicion because the old slave-dealers, who appeared to have given up all transactions with the coast of Africa ever since the rigorous proceedings instituted by their Government against the Traffic, are the very parties who are now again coming forward as the greatest shippers to the coast.

Mr. Beecroft, Her Majesty's Consul at Fernando Po, has addressed Lord Clarendon upon the subject of the activity of the slave-traders in connection with the Island of Cuba.

Lord Clarendon has also received despatches from Her Majesty's Consul at Lagos, on the coast of Africa; and from Mr. Reed, Her Majesty's Vice-Consul at Terceira, upon the same subject.

With so much corroborative information, there can be no doubt that a vast combination is at work to introduce slaves into this island, in defiance of the law and of the existing Treaties for suppression of that detestable Traffic. Considering that it is my duty to cooperate with your Excellency, and to aid, as much as it may be in my power to do, the notorious and proclaimed determination by every means in your power to put an end to the Slave Trade; I have the honour of laying this information before your Excellency, for such purposes as may be convenient for the prevention of the illegal purposes of the Brazilian-Portuguese Slave Trade Association, and other similar enterprises which may have been undertaken; and I avail of the opportunity to express to your Excellency

that I have the fullest confidence the measures which your Excellency may adopt will be completely effectual to suppress the Slave Trade in this island, which for some time past has been carried on to a most lamentable extent.

Inclosure 2 in No. 646.

Consul-General Crawford to the Captain-General of Cuba.

Havana, January 12, 1854.

I HAVE heard with much regret that, besides the cargo of Bozal negroes, subject of the letter which I did myself the honour of addressing to your Excellency on the 17th ultimo, as having been landed in the district of Cienfuegos, but who were introduced, as your Excellency was pleased to inform me, in that of Trinidad, another landing of slaves has taken place in the same district, but at a different place, and two more near Sagua, on the north coast.

I have also received information that two cargoes of slaves are expected to arrive at or near Cay Barrien. And I shall be much obliged to your Excellency for such information as may have been received with regard to the cases to which I have alluded.

The wreck of a vessel, brig-rigged, and of about 270 or 300 tons, supposed to have been one of the slavers which landed their cargoes at Sagua, is, I understand, to be seen at Cayo Verde; and if this conjecture is true, she must have brought a considerable number, probably not less than 700 or 800 negroes.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure 3 in No. 646.

The Secretary to the Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, January* 17, 1854.

HIS Excellency the Governor and Captain-General desires me to say to your Honour, as I do, that he has received your communications of the 11th and 12th of the present month, and has informed himself of their contents. He is thankful for the circumstantial information which your Honour has given him with regard to unlawful designs for the introduction of slaves into this island, with the other information expressed. Finally, that, determined as his Excellency is to persecute this detestable Traffic, besides the other measures which may be convenient, he sends this day to all the Governors and Lieutenant-Governors of the island, positive orders to discover the agents your Honour indicates, in order to expel them as soon as they have been found.

With this object, I repeat, &c.
(Signed) JOSE ESTEVAN.

No. 647.

Consul-General Crawford to the Earl of Clarendon.—(*Received February* 21.)

(Extract.) *Havana, January* 28, 1854.

THE determination of his Excellency the Captain-General, by every means in his power, to put down the Slave Trade, which was published in the "Gazette" dated the 23rd ultimo, as referred to in my despatch dated the 7th instant, does not seem to have the good effect which might have been anticipated, for it has been reported to me that there are numerous

expeditions to the coast of Africa dispatched and preparing with the intention of returning to this island with slaves.

Amongst these is a large brig of 549 tons, which entered this port from Barcelona, but which has been sold to parties very notorious slave-traders. Her name, which was the "*Destino*," has been changed to that of the "*Lindo*;" she has been newly coppered, is said to have on board a number of guns of large size, and is cleared out from hence in ballast for Mobile, there (as it is given out) to load cotton for Barcelona.

I have brought this case of the "*Destino*" *alias* "*Lindo*" under the notice of the Marquis de la Pezuela, but I am apprehensive that my denouncement will not be effectual to impede her voyage, as it is not to be supposed that anything will be found on board that would justify her seizure, and so it is more than probable she will proceed to some certain place after she sails from Havana, and there take in her slaver equipments.

Your Lordship will have seen in the Marquis Pezuela's proclamation alluded to that his Excellency considers himself bound to the observance of the Penal Law of the 4th of March, 1845; and I understand that, as by that law the slaves, if once upon any estate, cannot be seized, it is the hope of getting them landed and on to the estates, which has induced the slave-traders again to launch so many adventures.

I would, therefore, respectfully request your Lordship's influence to obtain an alteration of the Penal Law, so as that it should not operate as an inducement to the slave-traders by enabling them to avail themselves of its defective clauses and carry on the detestable Traffic with impunity.

I would impress the necessity there is for making the Penal Law effectual to restrain the slave-traders. The authorities must be enabled to follow and seize Bozal negroes wherever they may be, and to render that fully adequate and at the same time operate as a protection to the planters, a general registration of the slaves would be indispensable, as well as that to intimidate and deter the masters and crews from engaging in the Slave Trade it should be declared piracy, and that all and every one found on board of slavers should be dealt with as pirates.

No. 648.

The Earl of Clarendon to Consul-General Crawford.

Sir, *Foreign Office, February* 25, 1854.

I TRANSMIT to you herewith, for your information, a copy of a despatch* which I have addressed to Her Majesty's Minister at Madrid, inclosing copies of your despatches of the 4th and 7th ultimo, and expressing the gratification with which Her Majesty's Government have learnt the praiseworthy determination of the Marquis de Pezuela to put a stop to the Slave Trade between the African coast and the Island of Cuba.

I am, &c.
(Signed) CLARENDON.

No. 649.

The Earl of Clarendon to Consul-General Crawford.

Sir, *Foreign Office, February* 25, 1854.

I HAVE received your despatch of the 5th ultimo, reporting that the Captain-General of Cuba had acceded to your request that the emancipados Demetrio and Escolastica might be allowed to remain in the Island

* No. 590.

of Cuba with their children; and I have to instruct you to express to the Marquis de la Pezuela the satisfaction of Her Majesty's Government at his Excellency's ready acquiescence in your request.

I am, &c.
(Signed) CLARENDON.

No. 650.

Consul-General Crawford to the Earl of Clarendon.—(*Received March 7.*)

(Extract.) *Havana, February 5*, 1854.

I HAVE the honour of laying before your Lordship a copy of correspondence which has passed with the Captain-General upon the subject of recent importations of Bozal negroes from Africa which have been landed in the district of Trinidad.

Having received information from a person well known to me, who had it from a friend who had himself seen the recently imported negroes upon the estate, that no less than 640 of these unfortunate human beings were accumulated upon "Las Cucharas," an estate in the jurisdiction of Trinidad, belonging to Don Mariano Borrel, who is a most notorious slave-trader; I lost no time in denouncing the fact to the Captain-General, and I addressed my communication to his Excellency in Spanish for the purpose of avoiding the probability of its being known at Trinidad, which experience had taught me had happened when my denouncements of slave-trading acts demanding the prompt action of the authorities, required to pass through the public offices for translation.

The Captain-General may or may not have acted upon my letter; but I have had the satisfaction of receiving from Acting Vice-Consul Fowler of Cienfuegos, the confirmation of the information upon which I acted, inasmuch as he acquaints me that a large cargo of slaves had been landed in the jurisdiction of Trinidad, the latter days of last month, and Commander Napier writes me his chagrin at having missed some cargoes which had been landed at or near the Rio Zarza (which is where Las Cucharas estate is situated) during the temporary absence of the "Daring," whilst cruizing more to the westward.

I consider it my duty to state to your Lordship that the Lieutenant-Governor of Trinidad is the same Colonel or Brigadier Pantaleon de Ayllon, who when Lieutenant-Governor of Pinar del Rio was so deeply implicated in the affair of the "*Jasper*," and other landings of slaves at the Ensenada de Cortez in that jurisdiction, for which he was suspended, subjected to trial before the Royal Audiencia Pretorial, but acquitted notwithstanding that the Fiscal, as I understand, asked for his conviction, and he was immediately appointed by General Cañedo to Trinidad, which is a far more extensive field for such propensities, and my opinion of him appears to be fully borne out by what has been going on at his new place of residence. I shall, however, very probably have it in my power to lay before your Lordship an extract of the proceedings upon the trial of Colonel Don Antonio Pantaleon Lopez de Ayllon, which will better enable your Lordship to form an opinion as to the extraordinary circumstance of appointing that officer to a command like that of Trinidad, after what had occurred during his government in the district of Pinar del Rio.

Inclosure 1 in No: 650.

Consul-General Crawford to the Captain-General of Cuba.

(Translation.) *Havana, February 1*, 1854.

I HAVE received intelligence that, about four days ago, there were 640 Bozal negroes (who recently had been landed) upon the estate called Las Cucharas, belonging to Don Mariano Borrel, in the jurisdiction of

Trinidad; and that said Don Mariano Borrel, who is well known as a notorious slave-trader, was in great difficulty, because those who surrounded the said estate demanded five ounces (85 dollars) for each of said Bozals, to permit them to pass into the district of Sancti Spiritus, and three ounces (51 dollars each) to allow them to pass into Trinidad.

I have reason to believe that this information is true, and I hasten to communicate it to your Excellency, feeling assured that, without the loss of a moment, the abuses which are being practised in that district will be corrected as regards the introduction of slaves.

God preserve, &c.

(Signed) JOS. T. CRAWFORD.

Inclosure 2 in No. 650.

The Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, February* 2, 1854.

I HAVE received a denouncement which your Honour was pleased to make to me in your communication of yesterday, which is not only one of these common advices which your Honour is in the habit of making, in virtue of the authority given to you therefor by my Government according to the existing Treaties, but contains, besides, inculpations and references which it is necessary your Honour should designate, telling me who are those persons who exact five ounces for allowing each of the 640 newly arrived Bozal negroes to pass from the estate of Don Mariano Borrel to Trinidad, and three to pass into Sancti Spiritus, as well as from whom and in what form it is that your Honour received this information; so that I may be able, if it is true, to proceed to punish so grave a crime in public functionaries with all the necessary energy, but whose honour and reputation in the contrary event are under the safeguard of the Government.

God preserve, &c.

(Signed) THE MARQUIS DE LA PEZUELA.

Inclosure 3 in No. 650.

Consul-General Crawford to the Captain-General of Cuba.

(Translation.) *Havana, February* 3, 1854.

I HAVE the honour of acknowledging the receipt of your Excellency's official letter of yesterday, in which, with reference to my communication of the 1st current, you are pleased to say to me that it is necessary to designate "who the persons are who exact money to allow recently arrived Bozal negroes to pass from the Cucharas estate of Don Mariano Borrel, as well as that I should state from whom and in what form it is that I have received this information."

In reply I must state to your Excellency, and I hope that your Excellency will understand, that because of the nature of such informations it would be very inconvenient to disclose the authors. In this case, however, I can assure your Excellency that I believe it is quite true, in so far as that the negroes recently imported were, at the date indicated, upon the estate mentioned in the district of Trinidad.

God preserve, &c.

(Signed) JOS. T. CRAWFORD.

No. 651.

Consul-General Crawford to the Earl of Clarendon.—(*Received March* 7.)

My Lord, *Havana, February* 8, 1854.

I RESPECTFULLY beg leave to refer your Lordship to my previous despatch dated the 28th ultimo, in which I did myself the honour of acquainting your Lordship that, having brought under the notice of the Captain-General the arrival of Don Antonio Severino de Avellar in this city, his Excellency had had him arrested, &c., and I stated that I felt assured his passport had been given to him.

I have now the satisfaction of reporting to your Lordship, that I have received a communication from the Political Secretary, by direction of the Marquis de la Pezuela, informing me that his Excellency intimated to Don Antonio Severino de Avellar, as well as to Don Joaquin Gaspard de Motta, that they could not remain in the island, and they accordingly departed for New York on the 1st instant, on board the steamer "Black Warrior," preferring, as the Secretary observes, to go voluntarily rather than be expelled by special order of this Government.

I have, &c.

(Signed) JOS. T. CRAWFORD.

No. 652.

Consul-General Crawford to the Earl of Clarendon.—(*Received March* 7.)

My Lord, *Havana, February* 8, 1854.

I HAVE the honour of acknowledging the receipt of your Lordship's despatch of the 19th of December last, acquainting me that Her Majesty's Government approve of my proceedings in the affair of the three sailors, British subjects, who were on board the slaver "*Jasper*," and who are now prisoners under trial before the Royal Audiencia Pretorial in this city.

I understand that a M. Costales, a lawyer, has been appointed for their defence, and that he has accepted the nomination of the tribunal. I shall consequently see that that advocate has the necessary instructions, and I shall not fail to report the result. In the meantime I understand that the other six sailors belonging to the "*Jasper*," who are Americans, have been tried, and that the fiscal asks for their condemnation to four years' punishment in the slave gangs, to which very strenuous objections have been lodged by the Consul on the part of the Government of the United States, because these men aver that they were on board the "*Jasper*" in good faith, considering the ship as being on a lawful voyage when they were surprised by the slaves being put on board; that they refused to do duty as soon as they knew the real character of the vessel; but that they could not get away from her, and were forced to come in her to the place where the negroes were landed.

I have, &c.

(Signed) JOS. T. CRAWFORD.

No. 653.

The Earl of Clarendon to Consul-General Crawford.

Sir, *Foreign Office, March* 16, 1854.

I HAVE received your despatch of the 8th ultimo; and I have in reply to inform you, that I have learnt with great satisfaction the proceedings of the Marquis de la Pezuela, in expelling from the island of Cuba the two Brazilians, Antonio Severino de Avellar and Gaspard de Motta, who had arrived at Havana as agents for the Portuguese-Brazilian Slave-Trading Company.

I am, &c.
(Signed) CLARENDON.

No. 654.

The Earl of Clarendon to Consul-General Crawford.

Sir, *Foreign Office, March* 24, 1854.

I TRANSMIT to you herewith, copies of a note* and of its inclosure, which I have received from M. Comyn, the Spanish Chargé d'Affaires at this Court, in reply to my request that he would communicate to me the particulars respecting the emancipados which, as Mr. Backhouse informed me, had been sent to the Spanish Legation in London by the Captain-General of Cuba.

I have to instruct you to proceed, in conjunction with Mr. Backhouse, to compare the details of the Captain-General's statement, with such information as may be in his and your possession with regard to the emancipados; and you will then transmit to me a joint report thereupon.

I am, &c.
(Signed) CLARENDON.

No. 655.

The Earl of Clarendon to Consul-General Crawford.

Sir, *Foreign Office, March* 28, 1854.

I TRANSMIT to you herewith, copies of a despatch† and its inclosures, from Mr. Howard, &c., containing information respecting the preparations making by the slave-traders at Loanda to ship cargoes of slaves for the Brazils and for the Island of Cuba.

You will communicate this information to the Captain-General of Cuba, in order that his Excellency may take such measures as he may deem expedient and fitting, for the purpose of counteracting in Cuba the criminal projects of these slave-dealers.

I am, &c.
(Signed) CLARENDON.

No. 656

Consul-General Crawford to the Earl of Clarendon.—(*Received March* 29.)

My Lord, *Havana, February* 22, 1854.

THE large Spanish brig called the "*Destino*," alluded to in my despatch dated the 28th ultimo, having sailed from this port for New Orleans, and not having received any acknowledgment from the Captain-General of the denouncement of that vessel which I addressed to his Excellency on the 20th ultimo, I deemed it my duty to write Her Majesty's

* No. 502. † No. 162.

Consul for Louisiana, requesting him to watch the "*Destino's*" motions, and acquaint me of her arrival at New Orleans. I also wrote to Her Majesty's Consul in Alabama upon the same subject.

I now beg leave to lay before your Lordship a copy of my letter to the Captain-General respecting the "*Destino*," and I have the honour of reporting to your Lordship that the said vessel arrived at New Orleans on the 8th instant; that she was under Mr. Consul Mure's observation, and that he states to me the opinion which he had formed respecting her, that "from her peculiar build he should doubt the probability of her loading for Barcelona."

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure in No. 656.

Consul-General Crawford to the Captain-General of Cuba.

Havana, January 20, 1854.

IT has been denounced to me that the Spanish brig "*Destino*," which arrived in this harbour on the 27th ultimo, from Barcelona, has been sold here to parties who intend to employ her in the Slave Trade; and that said vessel has been newly coppered at the Barradero in the Royal Arsenal, from whence she was launched a day or two ago, is now ready for sea, and is to be dispatched at the public offices here in ballast for Mobile or New Orleans, under the pretence that she will at one or other port take in a cargo of cotton for Barcelona. It has also been denounced to me, that the said brig's name has been changed; that she will clear out under her newly-assumed name from this custom-house, and that amongst her ballast on board, there are several pieces of artillery. I observe, by the entries of vessels at this port, on the date above-mentioned, that the "*Destino*" is a vessel of 549 tons; and as it must be known at the proper offices whether she has been sold and her name altered, I have deemed it my duty to communicate to your Excellency the purport of the denouncement which has been made as to said vessels being intended for the Slave Trade, for such purposes as your Excellency may direct.

I have, &c.
(Signed) JOS. T. CRAWFORD.

No. 657.

Consul-General Crawford to the Earl of Clarendon.—(*Received March* 22.)

My Lord, *Havana, February* 23, 1854.

WITH reference to my despatch of the 5th instant, and its inclosure, respecting a number of Bozal negroes which had been landed near Trinidad, at the south side of this island, I have the satisfaction of stating to your Lordship that, although I have not been honoured with any further communication from the Captain-General upon the subject, I have learnt that the Governor of Trinidad, and several others of the public officers of that district, have been superseded, and are now in this city, subjected to trial for their conduct; and that the Lieutenant-Governor of Sancti Spiritus is also here under similar circumstances of investigation as to his conduct in regard to the recent introduction of slaves, of which I had to complain, as reported to your Lordship.

Brigadier Morales de Rada has been appointed Governor of Trinidad, and Colonel Don Juan Leiva to the command at Sancti Spiritus. I have known both these officers for several years, and I consider that the Captain-

General has made a very proper selection for these appointments at places of so much importance, where the Slave Trade, for years past, has been carried on to a very great extent and with the most complete impunity.

I have, &c.
(Signed) JOS. T. CRAWFOBD.

No. 658.

Consul-General Crawford to the Earl of Clarendon.—(*Received March* 29.)

My Lord, *Havana, February* 23, 1854.

I HAVE the honour of reporting to your Lordship that the case of man-stealing which was detected at Belize, Honduras, and which ended in the conviction and punishment of the man Anduze at that place, has been so far brought to a close here as that 21 of the Indians who were kidnapped and brought away from Yucatan by the fishing-vessels of Don Francisco Marty y Torrens, of this city, Anduze's accomplice in the crime, have been restored to their homes and families, their passages having been provided, at Marty's expense, by the Mexican Consul; and that it has been proved to the satisfaction of the said functionary that 6 more had been sent back by Marty y Torrens: 3 preferred to remain here under contract as free labourers, 5 died, and 1 had embarked for Spain as a servant; thus accounting for 36 who had been entrapped and carried off, all of them, I believe, from the port of Ascension.

It appears, also, by the official communication which his Excellency the Captain-General addressed to the Mexican Consul upon the occasion of the restoration of these people, a copy of which I am enabled, by the politeness of M. Carvallo, to inclose herewith to your Lordship, that the proceedings against the guilty actors in this affair are still being carried on in the competent tribunals.

I have, &c.
(Signed) JOS. T. CRAWFORD.

Inclosure in No. 658.

The Captain-General of Cuba to M. Carvallo.

(Translation.) *Havana, January* 5, 1854.

THE inquiry gone into by this Government respecting the 36 Mistis and Indians of Yucatan, who were said to have been furtively taken from their country, and brought to this place in the fishing-smacks of Don Francisco Marty, to his consignment, having been concluded, the 21 who remain were asked whether they wished to continue here under contract, or return home, and, having stated that they preferred the latter, I have this day given the necessary orders that the said Marty shall, at his own cost, by his own vessels, or by any other convenient mode which offers, send them to their country, making known to your Honour that of those who are wanting to complete the 36 said Indians, 6 were sent back by the said Marty, 3 are contracted in the country with parties in a good condition, 5 have died, and 1 is in the Peninsula, where he went as a servant on pay; the process in the competent tribunals being continued notwithstanding against the guilty parties.

God preserve, &c.
(Signed) THE MARQUIS DE LA PEZUELA.

No. 659.

Consul-General Crawford to the Earl of Clarendon.—(*Received March* 29.)

My Lord, *Havana, February* 27, 1854.

I HAVE the honour of reporting to your Lordship that Radcliffe, Hersey, and Robinson, the three British subjects who were on board the slaver "*Jasper*," have been put at liberty, as well as the other six American sailors who were their companions on board the said vessel.

The defence of the Englishmen was entrusted to M. Costales, a lawyer of considerable eminence and ability. I have this day seen his paper, and I think that his arguments were conclusive, and must have weighed with the Court in the sentence, for the Advocate did not scruple to set forth the monstrosity of condemning these men to four years of the chain gang upon their own confession that they had been on board the "*Jasper*," and that she had brought some 300 slaves from Africa who were landed on this island, but that they had been there against their will, being deceived by Townshend, the master, with whom they shipped at New York, thinking that they were going upon a lawful voyage, and only knowing the contrary when they found the ship swarming with the negroes who were put on board, and discovered that the master had deserted them; whilst, as M. Costales states to the Court in their defence, it had been found to be impossible for these authorities to prove, otherwise than by these men's declarations, that any slaves had been landed from the "*Jasper*," and they had acquitted the Lieutenant-Governor and the Captain of the district where the disembarkation of the negroes actually did take place.

The Advocate recommends my applying for a judicial copy of the whole of the proceedings with regard to this case of the "*Jasper*," and the trial of the sailors, as he says there is much to be seen in it as to how the whole affair was carried on so that there were no convictions under the process, and I have requested him to ascertain the expense which would be incurred, previous to asking for such copy.

In the meantime, I have required a copy of the definitive sentence upon the sailors, which I shall not fail to lay before your Lordship, and the whole proceedings will most probably be the subject of another despatch, if their nature should appear to me to be of so much interest as M. Costales describes them to be.

It is worthy of noticing to your Lordship that the sentence of the Court has been promulgated, and the men set at liberty, without any official notification thereof to me, and I understand that no official communication has been received by the Consul of the United States upon the subject, but that the six Americans and the three Englishmen went, of their own accord, on board the United States' steamer "Fulton," at present lying in the harbour, as soon as they were liberated from the prison.

I have, &c.
(Signed) JOS. T. CRAWFORD.

No. 660.

Consul-General Crawford to the Earl of Clarendon.—(*Received March* 29.)

My Lord, *Havana, March* 7, 1854.

I BEG leave to inclose herewith to your Lordship a copy of a letter which I addressed to the Captain-General on the 25th ultimo, denouncing a landing of Bozal negroes, which it was reported to me had been effected near Punta de Tejas, on the north coast of this island, consisting of 380 or 400, and that the vessel in which they came was a brig, polacca-rigged, but that I had not been able to learn anything further.

Subsequently I have been informed that that disembarkation took place to the eastward of Punta de Tejas, and that the slaves were taken

to Sagua, but I have not received any acknowledgment as yet from the Captain-General upon this subject.

With reference to my despatch on this subject dated the 23rd ultimo, and my previous despatch of the 5th ultimo, I have the satisfaction of acquainting your Lordship that the Marquis de la Pezuela this morning informed me, in conversation, that he had just received the agreeable news of the capture of 600 Bozal negroes near Trinidad, in the direction of Rio Zarza; and this afforded me the opportunity of congratulating his Excellency upon the efficacy of his appointments at Trinidad and Sancti Spiritus, to which I adverted in my despatch first alluded to, and I indulge the hope that the slavers can no longer count, as for a long time they have done, upon landing their cargoes with impunity in those districts.

I have, &c.
(Signed) JOS T. CRAWFORD.

Inclosure in No. 660.

Consul-General Crawford to the Captain-General of Cuba.

Havana, February 25, 1854.

IT having been reported to me that a cargo, consisting of 380 or 400 Bozal negroes, was landed very recently at or near Punta de Tejas, on the north coast of this island, I take the earliest opportunity of communicating the circumstance to your Excellency, well knowing the anxiety there is on the part of this Government to put an end to the detestable Traffic. This disembarkation was effected from on board a polacca-rigged brig, some six or eight days ago, but any further particulars of the case I have been unable to learn.

I also consider it my duty to acquaint your Excellency that I have received letters from Her Majesty's Consul at St. Jago de Cuba, by which it appears that Don Jaime Pol, who had lately landed a cargo of slaves on the south side (probably that which was effected in the district of Sancti Spiritus about a month ago) was, on the 15th instant, at St. Jago, and was said to be about to engage in a new adventure to the slave coast of Africa.

I have, &c.
(Signed) JOS. T. CRAWFORD.

SPAIN. (*Consular*)—*Porto Rico.*

No. 661.

Consul Lindegren to the Earl of Clarendon.—(*Received September* 1.)

My Lord, *San Juan, Porto Rico, August* 8, 1853.

IN the despatches which I had the honour of addressing to Viscount Palmerston dated March 14 and May 8, 1851, I stated that a considerable number of slaves had been purchased at Porto Rico and forwarded to Havana. In the last, however, of these despatches, I reported that a duty of 75 dollars per head had been imposed upon their exportation, which would, I trusted, have put a stop to this Traffic; and this has been the case until very lately, when, although the duty has not been taken off, they have commenced again to purchase and send slaves to the Havana, about 15 or 16 having been sent by the Spanish mail-steamer in June, and about 50 in that at the end of July last, the passage charged for each being only 6 dollars. The slaves sent are both male and female, grown-up persons and young children, and I am told that they are principally intended for servants at the Havana, where they will give heavy prices for good ones; and I have no doubt that more will go by the next steamer, as I see an advertisement for the purchase of slaves for servants at the Havana, from whence these orders for them originate.

I have thought it my duty to mention this that your Lordship may be aware of this Trade having commenced again, though nothing, I feel sure, can be done on the part of your Lordship to prevent it, as Viscount Palmerston, upon receipt of my despatch of the 14th March, with his usual anxiety to put a stop to the Slave Trade, which in this case is scarcely less inhuman than that from the coast of Africa, made strong remonstrances to the Spanish Government against it, as I see by the Slave Trade Papers presented to Parliament in 1852, but his representations were not attended with any success; and the only hope appears to be that self-interest may prompt the inhabitants to endeavour to prevent these exportations, which are so injurious to the island.

I have, &c.

(Signed) JOHN LINDEGREN.

No. 662.

The Earl of Clarendon to Consul Lindegren.

Sir, *Foreign Office, September* 9, 1853.

I HAVE received your despatch of the 8th ultimo, stating that the Spanish mail-steamers conveyed in June and July last from Porto Rico to Cuba between 60 and 70 negroes, who were intended for sale at Havana.

I have to instruct you to remonstrate with the Captain-General of Porto Rico, in the name of Her Majesty's Government, against this renewal of the Traffic in Slaves between the two islands.

I am, &c.

(Signed) CLARENDON.

No. 663.

Consul Lindegren to the Earl of Clarendon.—(*Received November* 19.)

My Lord, *San Juan, Porto Rico, October* 24, 1853.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 9th ultimo; and, agreeably to your Lordship's directions, I addressed a remonstrance to his Excellency the Captain-General of Porto Rico, relative to the exportation of slaves from this island to Cuba, an answer to which I received on the 21st instant, but not containing anything decisive; and as I am to hear from his Excellency as to what may be determined upon in the affair, I shall acquaint your Lordship with the result as soon as it is communicated to me.

Inclosed I have the honour to forward to your Lordship copy of my letter of remonstrance, and a translation of the answer from his Excellency.

I beg further to add that since my last communication to your Lordship the two following monthly Spanish steamers took away between 60 and 70 slaves for Cuba, but that which left on the 21st instant did not take any; some were intended to have been sent, but the steamer stayed here for so short a period that the shippers had not time to take out the requisite passports.

I have, &c.
(Signed) JOHN LINDEGREN.

Inclosure 1 in No. 663.

Consul Lindegren to the Captain-General of Porto Rico.

Sir, *San Juan, October* 7, 1853.

IN compliance with my instructions from Her Britannic Majesty's Government, it has been my duty to report to Her Majesty's Principal Secretary of State for Foreign Affairs, that several exportations of slaves have been effected from this island for Cuba, by means of the Spanish correos; and I have in answer thereto received instructions from Her Majesty's Government to remonstrate with your Excellency upon the subject.

I therefore take the liberty of respectfully representing to your Excellency, that these shipments are certainly contrary to the Treaties between the two Governments; for, although I am aware that the Government of Spain reserved to itself the power of removing slaves from one Spanish colony to another, yet, as the Traffic in Slaves is, by Article I of the Treaty of 1835, agreed to be totally and finally abolished in all parts of the world, this can only be meant to give the owners of estates the power of removing their slaves from one island to another, and not to encourage such a Traffic as is now carried on by slave-dealers, who are purchasing slaves in different parts of this island, to sell again in Cuba at a profit; a trade very little less inhuman than that carried on from Africa; for, as the Captains-General in this island have so honourably respected the Treaties with Great Britain during my residence here, no slaves have been imported for several years; and consequently all those who have been carried away, men, women, and children, must more or less have had their connections from which they have thus been separated.

It is not for me to offer an opinion whether this may be prejudicial to the island or not; but your Excellency has already given such proofs of anxiety to promote its prosperity, that you would doubtless be a much better judge upon the subject than myself. I take the liberty, however, of adverting to this, as such apprehensions arose when exportations of this sort took place in 1851, as induced the Intendant, in accordance with the representation made to him, to impose such a duty as was supposed would put a stop to it, which, for the time being, had the desired effect. The prices in Cuba must, however, now be higher; for although

these duties still remain in force, speculations of this kind are again resumed, and exportations recommenced.

Under these circumstances, I hope that your Excellency will be so good as to take the case into consideration, and prohibit any further Traffic of this nature; or if your Excellency should not have such power, you will perhaps be so good as to consult with the Intendent about levying such a further tax upon the exportation of slaves as will render it profitless, and thus put a stop to it; and I can assure your Excellency, that Her Britannic Majesty's Government will feel much gratified upon my being able to inform them that the representations which they have desired me to make, have been acceded to by your Excellency.

I have, &c.

(Signed) JOHN LINDEGREN.

Inclosure 2 in No. 663.

The Captain-General of Porto Rico to Consul Lindegren.

(Translation.)

Sir, *Porto Rico, October* 20, 1853.

BY the official letter you addressed me on the 7th instant, by order of your Government, and which having passed through the hands of the interpreter, was returned to me on the 14th instant, translated into the Spanish language, I am informed of all the observations which you are instructed to make upon the exportation of slaves from this colony under my command, to that of Cuba; and in answer thereto, I have to inform you that the solution of the question depends upon my Government, who have already been informed of it by my predecessors, as well as by myself; and as the nature of it is difficult, and requires consideration, I shall inform you opportunely as to what may be determined upon respecting it.

God preserve, &c.

(Signed) FERNANDO DE NORZAGARAY.

No. 664.

Consul Lindegren to the Earl of Clarendon.—(*Received February* 3.)

My Lord, *San Juan, Porto Rico, January* 4, 1854.

I HAD the honour to address your Lordship on the 24th of October last, inclosing copies of my remonstrance to the Governor of Porto Rico, relative to the exportation of slaves from hence to Havana, and of his Excellency's answer, since which I have not heard anything further from his Excellency upon the subject. If, however, he made any communication to the Spanish Government in consequence of my remonstrance against these shipments, he may, I suppose, soon have an answer.

In my despatch above adverted to, I informed your Lordship that the last steamer had not taken any slaves, but a sailing-vessel which left shortly afterwards, took between 20 and 30; since which time but few have been sent, the two last monthly steamers taking only, the first 10, and the second 11 slaves. So I hope that these shipments will not be carried to any extent. As a proof, however, that the representations which have been made upon the subject were not without just reason, one slave whom they were going to ship from the prison where he had been placed for security, resisting and attempting to defend himself, was killed in the affray with the soldiers and police; and two others jumped into cisterns, with which every house is provided, from which they were both saved; but before one of them would allow himself to be taken out, he obtained a promise from the syndic, or protector of slaves, that he should not be shipped for Havana.

I have, &c.

(Signed) JOHN LINDEGREN.

SPAIN. (*Consular*)—*St. Jago de Cuba.*

No. 665.

Consul Forbes to Lord John Russell.—(Received May 19.)

My Lord, *St. Jago de Cuba, March* 26, 1853.

ON the 31st December last, when I had the honour of transmitting to Her Majesty's Government the continuation of my correspondence with the Governor of this Province, regarding the claim to freedom of the negress "Nancy" and family, I stated that copies of the same had been forwarded to Her Majesty's Consul-General at Havana, who had brought the case to the notice of his Excellency the Captain-General of the island.

It now becomes my duty to inclose for your Lordship's information, translation of a despatch addressed by Captain-General Cañedo to Consul-General Crawford on the 8th current, by which your Lordship will observe that his Excellency has settled the question by refusing to acknowledge the claim, "as neither the said negress nor her children are identified, nor does the legislation, whose fulfilment is asked for by the Consul-General and the aforesaid Consul of Cuba, extend to the dominions of Her Majesty."

If this decision is founded, as I believe it to be, upon the instruction from Spain which was given last year in the case of the Bahama negress Mary Anne Bethel, that it was the last which would be given into, it still appears to me unjust and inapplicable to the present claim, which was commenced by me on behalf of the negress Nancy and her children, of whose identity I had full and convincing proof, three and a half years ago, namely, in October 1849.

I consider, my Lord, that the children of the poor woman Nancy, lately deceased, are as fully entitled to their liberty as were Betsy and her family, both cases having been pending here at the same time, and the evidence adduced by me in favour of each plea being as incontestable in the one case as in the other.

As regards further claims to freedom of unfortunate kidnapped coloured persons, the instruction from Her Catholic Majesty's Government, on which the Captain-General's decision in the present case is believed to be founded, cannot but be matter of regret to me, as it would seem to exclude them from all hope, however clearly their cases might be made out.

I have, &c.
(Signed) JAMES FORBES.

Inclosure in No. 665.

The Captain-General of Cuba to Consul-General Crawford.

(Translation.) *Havana, March* 8, 1853.

IN consequence of what I stated to you on the 21st of last December, in reply to your letter of the 16th of the same month, relative to the reclamation which the English Consul in Cuba made from his Excellency the Governor there, of the negress Nancy and her children as British subjects, the antecedents in this matter have been remitted to me, and in conformity with what I have consulted with the Alcalde Mayor, Don Lorenzo del Busto, to whom I passed them, it is impossible for me to accede to your request, as neither the said negress nor her children are identified, nor does the Legislation, whose fulfilment is asked for by you and the aforesaid Consul of Cuba, extend to the dominions of Her Majesty the Queen, my august Sovereign, to whom I give advice for her superior resolution.

God preserve, &c.

(Signed) VALENTIN CANEDO.

No. 666.

The Earl of Clarendon to Consul Forbes.

Sir, *Foreign Office, April* 9, 1853.

WITH reference to your despatch of the 31st of December, 1852, respecting the sons of the Jamaica negress Nancy, now deceased, whose claim to be liberated was, it appears, brought by you before the Spanish authorities in Cuba in February 1849, I herewith transmit to you, for your information, copy of a despatch* which I have addressed to Her Majesty's Consul-General at the Havana upon the subject in question.

I am, &c.

(Signed) CLARENDON.

No. 667.

Consul Forbes to the Earl of Clarendon.—(Received September 1.)

My Lord, *St. Jago de Cuba, July* 1, 1853.

SINCE I addressed your Lordship on the 26th March last, regarding the case of the children of the lately deceased negress Nancy, I have had the honour to receive your Lordship's despatch dated 9th of April of the present year, inclosing for my information a copy of a communication addressed by your Lordship under the same date to Her Majesty's Consul-General in Havana.

By my last advices from Mr. Crawford, the Captain-General had not yet answered the representation which, in pursuance of your Lordship's instructions, he had lately made to his Excellency in the above case.

I have, &c.

(Signed) JAMES FORBES.

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* No. 513.

SPAIN. (*Consular*)—*Teneriffe.*

No. 668.

Acting-Consul Edwards to the Earl of Clarendon.—(*Received July* 14.)

My Lord, *Canary Islands, Teneriffe, June* 29, 1853.

I HAVE the honour to report to your Lordship the arrival to-day here from Sierra Leone of Her Majesty's steamer "Bloodhound," Commander Christian, having on board a Spanish subject who was taken at Sierra Leone for being engaged in the Slave Trade.

Having communicated to the Civil Governor the Commander's desire that this prisoner should be delivered over officially to him, he was given up this day by Commander Christian, and conveyed to the town gaol, from whence he will be forwarded to Grand Canary, to be tried by the competent tribunal in that island.

I will be careful to report upon the future proceedings in this case.

I have, &c.

(Signed) JOHN HOWARD EDWARDS.

TRIPOLI.

No. 669.

Consul Herman to the Earl of Clarendon.—(Received April 7.)

My Lord, *Tripoli, March* 14, 1853.

I HAVE the honour to transmit herewith, a return of the Slave Trade of Mourzouk for the year 1852.

I have, &c.
(Signed) G. F. HERMAN.

Inclosure in No. 669.

RETURN of Slaves arrived in the city of Mourzouk during the year 1852.

Where from.	Number of Males.	Number of Females.	Total.	Mortality on the journey.	Mortality in the city.	Average value.
						£
Bornou	769	1150	1919	15 per 100	6 per 100	23,024
Haussa	150	191	341	7 per 100	4 per 100	4,058
Ghat	100	98	198	..	2 per 100	2,324
						£29,406

Remarks.—Average of a Male 10*l.* 10*s.*, Female 13*l.*

All the slaves were conducted to Tripoli, Bengazi, and Egypt.

The mortality is generally caused from ill-usage, fatigue, and small-pox.

On the Bornou Road the mortality is greater, as the slave-dealers are very inhuman; they only provide for every ten slaves one camel-load of provisions, which obliges them to precipitate their journey.

Each slave, male or female, is chained by the neck, and has a hand bound to the chain with a leather thong, and is compelled to carry on his head a bundle weighing 20 pounds.

The slaves from Haussa suffer less, as the Touaricks, who conduct them, travel only five hours per day, and allow every four slaves a camel-load of provisions. They do not carry any weight on their heads.

British Vice-Consulate,
Mourzouk, December 31, 1852.

(Signed) G. B. GAGLIUFFI.

No. 670.

Consul Herman to the Earl of Clarendon.—(Received July 6.)

My Lord, *Tripoli, May* 22, 1853.

I HAVE the honour to report to your Lordship the arrival here, on the morning of the 8th instant, of the Ottoman steam-frigate "*Saidi Saiki*" from the Levant, with drafts for the different corps composing the military division of this Regency.

Some days after her arrival it was proclaimed by the Government criers in the bazaars and other places of public resort, that the "*Saidi Saiki*" would convey negro slaves to Constantinople at the rate of 5 maboobs (**17***s.* 6*d.*) per head.

This glaring infraction of the general order of the 13th of November, 1850, transmitted at the representations of Her Majesty's Ambassador at the Porte, by the Grand Vizier to the Capudan Pasha, prohibiting the transport of slaves by the ships of the Ottoman Navy, occurred to me could only have arisen from the ignorance of the Turkish authorities here, of the existence of the order in question.

My suspicions proved to be well-founded, for on expressing myself to that effect, in as delicate a manner as possible, to his Excellency the Governor-General, Moustafa Nourree Pasha, he thanked me in the most courteous terms for the steps I had taken, and immediately caused the slaves already on board to be relanded, and the embarkation of any more to be suspended.

I am happy to have it in my power to record this ready adherence to those enlightened views of humanity which Her Majesty's Government have so sedulously sought to inculcate upon the Sublime Porte; views which if rigorously carried out, must tend to materially fetter the Traffic in Slaves in the Ottoman dominions.

I have, &c.
(Signed) G. F. HERMAN.

No. 671.

The Earl of Clarendon to Consul Herman.

Sir, *Foreign Office, July* 11, 1853.

I HAVE received your despatch of the 22nd of May, reporting that the Governor-General of Tripoli had, on your representation, prevented an embarkation of slaves on board the Turkish steam-frigate "*Saidi Saiki*," for conveyance to Constantinople; and I have to express to you my approval of your conduct, and to instruct you to convey to the Governor-General the thanks of Her Majesty's Government for his ready attention to your representation upon this matter.

I am, &c.
(Signed) CLARENDON.

No. 672.

Consul Herman to the Earl of Clarendon.—(Received August 20.)

My Lord, *Tripoli, July* 26, 1853.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 11th instant. In conformity with its instructions I immediately conveyed to his Excellency the Governor-General Mustafa Nourree Pasha, the thanks of Her Majesty's Government for his ready attention to the representation which I had made relative to the slaves on board the steam-frigate "*Saidi Saiki*," when his Excellency expressed his high sense of the flattering and commendatory message of which I was the bearer.

I have, &c.
(Signed) G. F. HERMAN.

No. 673.

Consul Herman to the Earl of Clarendon.—(Received March 25.)

My Lord, *Tripoli, January 20, 1854.*

I HAVE the honour to transmit, herewith, the annual slave returns of this Consulate and the Vice-Consulates of Bengazi, Derna and Morzouk.

I have, &c.

(Signed) G. F. HERMAN.

Inclosure 1 in No. 673.

RETURN of Slaves, Male and Female (the sex not being specified in the Custom-House Books), exported from the Port of Tripoli during the year 1853.

1852 - - - -	1,007
1853 - - - -	858
Decrease - -	149

Tripoli, January 15, 1854.

(Signed) G. F. HERMAN.

Inclosure 2 in No. 673.

RETURN of the Number of Negroes Exported from Bengazi during the Year 1853.

The total number of negroes exported during the year to Constantinople, the Cannea, and ports of the Levant - - - - - - - 300

N.B.—40 negroes out of that number went to Alexandria in Egypt.

Bengazi, January 2, 1854.

(Signed) F. H. S. WERRY,
Vice-Consul.

N.B.—The number of negroes exported from Bengazi during the year

1852 was - - -	1,001
1853 - - - -	300
Decrease - -	701

Inclosure 3 in No. 673.

RITORNO del Commercio degli Schiavi in Derna durante l'Anno 1853.

Data.	Qualita del Legno.	Nome.	Capitano.	Nazione.	Destinazione.	Maschi.	Feminine.	Totale.
1853								
Dec. 18	Suma ..	Misghuda	Barca..	Ottomane	Canea ..	10	..	10
							Totale No.	10

No Return for 1852 was received from Derna.

(Signed) ANT. AQUILINE,
Vice-Consul.

Inclosure 4 in No. 673.

QUADRO dei Schiavi arrivati in questa Citta nel 1853.

Numero Totale.	Provenienza.	Gennere.	Numero.	Valore Medio.	Mortalita in viaggio.	Mortalita in citta.	Osservazioni.
				£			
142	Da Gaat ..	Maschi ..	82	728			La mortalita non era molto in viaggio, qui però fù più degle altri anni, e la maggior parte malattia verminose.
		Feminine..	60	780			
553	Haussa ..	Maschi ..	320	2,880	5%	3%	
		Feminine..	233	3,029	5%	3%	
1,914	Bornou ..	Maschi ..	1,110	9,990	8%	6%	
		Feminine..	804	10,452	8%	6%	
2,609				17,859			

Tutti i schiavi sono condotti a Tripoli, Bengazi, ed Egitto. Il traffico aumenta ogni anno causante le facilità che il Governo Ottomano fa per incorragiarlo : tre anni sono il trafficante doveva pagare piastr. 200 di dritto per ogni individuo, all' arrivo in Tripoli ; in oggi paga in Constantinopli solo piastr. 150 quando è condotto in quella capitale, e se viene venduto in Tripoli per uso locale la dogana è diminuita a piacere del doganiere ; se poi la vendita succede prima d'arrivare in Tripoli, allora paga qui solo piastr. 80, sino a 100, queste facilità fanno aumentare il valore ; e perciò preferiscono condurre schiavi più tosto che merci le quali sono soggette a diversi dritti abusivi : per esempio, l'avorio quando arriva dall' interno paga qui da 4 al 6 per cento, in Tripoli, poi, come prodotto 9 per cento ed il 3 per cento, li altri prodotti pagano qui 12 per cento ed in Tripoli altri 9 per cento e 3 per cento, e questo quando ha la fortuna di poter disporre della mercanzia.

Vice-Consolato Britannico,
Mourzouk, Decembre 31, 1853.

(Firmato) G. B. GAGLIUFFI,
Vice-Console.

(Translation.)

ALL the slaves are taken to Tripoli, Bengazi, and Egypt. The trade increases every year, owing to the facilities for its maintenance afforded by the Ottoman Government. Three years ago the trader was obliged to pay on the arrival of each slave at Tripoli a duty of 200 piastres ; at present he pays at Constantinople, when the slave is taken to that capital, only 150 piastres ; and if the slave is sold at Tripoli for local use, the duty is diminished at the pleasure of the Officer of Customs ; but if the sale takes place before arriving at Tripoli, then the dealer pays here only from 80 to 100 piastres. These facilities cause an increase of profit ; and therefore they prefer bringing slaves rather than merchandize, which is subject to various abusive duties : for example, ivory on arriving from the interior pays here from 4 to 6 per cent., but at Tripoli it pays as produce 9 per cent., with the additional 3 per cent. ; other produce pays here 12 per cent., and at Tripoli a further 9 per cent. and the additional 3 per cent., that is, if the trader is fortunate enough to dispose of the merchandize.

British Consulate, Mourzouk,
December 31, 1853.

(Signed) G. B. GAGLIUFFI,
Vice-Consul.

TURKEY.

No. 674.

The Earl of Clarendon to Lord Stratford de Redcliffe.

My Lord, *Foreign Office, July* 11, 1853.

I TRANSMIT herewith a copy of a despatch* which I have received from Her Majesty's Consul at Tripoli, reporting that the Governor-General of that province had, on his representation, prevented an embarkation of slaves from taking place on board the Turkish steam-frigate "*Saidi Saiki*," for conveyance to Constantinople. I also transmit to your Excellency a copy of my reply† to Consul Herman.

I am, &c.

(Signed) CLARENDON.

No. 675.

The Earl of Clarendon to Lord Stratford de Redcliffe.

My Lord, *Foreign Office, August* 27, 1853.

I TRANSMIT herewith a copy of a despatch‡ from Her Majesty's Consul in Albania, reporting the steps taken by him in order to obtain the liberation of three Nubians who had been brought from Candia to Prevesa to be sold as slaves. I have to state to your Excellency that Her Majesty's Government have learnt by this despatch, with extreme concern, not only that these slave-markets in Candia and Prevesa still exist, but also that the Ottoman Government so far give a direct sanction to the Slave Trade as to have a tariff of duties on the importation of white and black slaves.

Her Majesty's Government believe that the Sultan cannot be aware of a state of things so repugnant to his just and humane character; but they hope that it will be effectually remedied without loss of time.

I am, &c.

(Signed) CLARENDON.

* No. 669. † No. 670. ‡ No. 678.

TURKEY. (*Consular*)—*Jerusalem.*

No. 676.

Consul Finn to the Earl of Clarendon.—(*Received December* 27.)

My Lord, *Jerusalem, December* 6, 1853.

I HAVE the honour to report that on the 26th of October a Moslem named Hadj Ahhmad came to my office with his slave, named Besheer (alias John), in order to emancipate him. He brought with him also a Christian named Moossa Khushrum, as witness of the transaction.

He stated his reason to be, that his father (lately deceased) had charged him to release the slave, but that having lately, through poverty, attempted to transgress his father's injunction by selling him, and the slave resisting that proceeding by proclaiming the fact in the bazaar to all passers-by, persisting also in retaining the Christian religion, his (Ahhmad's) conscience rebuked him, and he had come accordingly to effect the manumission.

The slave was a young Abyssinian.

A document in Arabic, ready prepared, and signed by witnesses, was deposited among my archives as a record, and I sent the youth to his Lordship, our Bishop, who advised him to repair to the Abyssinian convent. This he did. He has since had some employment among our Protestant community, but has, I believe, absconded from the city, after committing some acts of incurring debts in the names of his employers.

I have the honour to add, that however mild may be the character of slavery in Oriental countries, I take every opportunity of inveighing against it, and also of warning benevolent Europeans against purchasing slaves, in order to emancipate them, and retain them as hired servants. Several of our Prussian friends, however, have practised this mode of obtaining domestic service.

There is no regular market station for slaves in Jerusalem; but a good many such unfortunate people are brought here from Egypt, through Gaza, consigned to some individual resident, who disposes of them by hawking them from house to house.

Slave-service is light in this country, where the habits of daily life are exceedingly simple, and never employed in rural labour. I know of several instances in which a slave of a house is far better educated, and as well fed and clothed as his master, riding the best horses, and carrying arms. Yet there are cases of cruelty to be heard of in abundance among the Moslems.

It is only since the beginning of the Egyptian occupation of this country that Christians have been allowed to purchase slaves.

The native Christian clergy never attempt to discourage slave-trade or slavery.

I have, &c.
(Signed) J. FINN.

No. 677.

The Earl of Clarendon to Consul Finn.

Sir, *Foreign Office, December* 31, 1853.

I HAVE received your despatch of the 6th instant, reporting the circumstance under which a Moslem named Hadj Ahhmad had brought to your Consulate a slave named Besheer, whom he set free in your presence, and giving an account of slavery as it exists in Palestine; and I have to acquaint you in reply that I approve of your having deposited among the archives of your Consulate the document by which Besheer gained his freedom, and also of the course which you afterwards pursued respecting him.

You will continue to use your best endeavours to discourage slavery in the Turkish dominions.

I am, &c.
(Signed) CLARENDON.

TURKEY. (*Consular*)—*Prevesa.*

No. 678.

Consul Saunders to the Earl of Clarendon.—(*Received August* 22.)

(Extract.) *Prevesa, August* 5, 1853.

WITH reference to Viscount Palmerston's despatches of the 4th and 5th of April, 1851, approving my proceedings with respect to eleven Arab slaves who had been brought from Candia to Prevesa for sale, and authorizing me to purchase their freedom at prime cost (said to be from 10*l.* to 12*l.* a-head), placing them in employments, so as to enable them to earn their livelihood, I have the honour to bring under your Lordship's consideration the following particulars of the steps taken in the matter, and the ultimate result thereof.

On the receipt of the instructions aforesaid, I lost no time in submitting to Her Majesty's Ambassador, as by the inclosed copy, the expediency of obtaining a vizirial order, in accordance with the favourable dispositions manifested by the Pasha, requiring the conditional engagements entered into by the purchasers of the slaves, as therein set forth, to be enforced, leaving it to be settled between the Pasha and the British Consulate what compensation should be given to the Albanian owner.

It would seem, however, that some difficulty was experienced in this respect, the Porte having privately intimated to the Pasha that he would do well to abstain from all further interference in the matter. The importer of the slaves was consequently allowed to depart, and the purchasers released from all further responsibility.

Encouraged by this result, and with the hope of repairing, by the profits of a further venture, the losses entailed on this occasion, the same individual again proceeded to Candia, and succeeded in importing from thence unobserved another cargo of slaves; and more recently having returned to the same nefarious mart, he attempted a minor speculation of the same nature, limited on this occasion to three Nubians and other merchandize.

Having renewed my representations to the local Governor, urging the illegality of this Traffic, the Turkish law recognizing only as slaves those actually taken in open warfare, and requiring absolute demonstration as to time, place, identity, &c., which facts parties are never in a condition to establish by proper documentary evidence; laying also particular stress upon the violation of territory, so repeatedly committed in traversing the Ionian waters under the protection of Great Britain for such illicit Traffic, characterized as piracy by all the civilized nations of the world; on the freedom virtually acquired by slaves under such circumstances, as well as on the fraud committed in describing as simple passengers, for the purpose of eluding detection in Ionian ports, parties exported as merchandize through the custom-house, and furnished with regular permits as such; I eventually succeeded in causing the dealer to be severely reprimanded for his conduct, in obtaining a formal declaration, couched in the most forcible terms, that neither his companions nor himself would ever again engage in any such transactions; and in securing possession of the slaves themselves, paying only a small gratuity of 2,000 piastres (about 18*l.*) in the whole, being infinitely less than prime cost; all parties remaining perfectly satisfied, and the slaves being sent to Corfu, where they were immediately taken into service by different families.

A certified copy and translation of the declaration aforesaid is herewith submitted, the original being consigned to me, and a registered copy being retained by the Governor in his official archives; and, while on the one hand there may be reason to hope that others will in like manner be induced to refrain from any further speculations of this nature, I venture on the other to suggest the propriety of subjecting Turkish vessels to some restrictions on traversing the Ionian waters, unless the Porte shall see fit to put a stop to this Traffic altogether, in accordance with the benevolent manifestations made by the Sultan himself on a former occasion.

I would here beg to observe, that however much it may have been argued that the position of the slave in the Turkish dominions is essentially different from that which obtains in other countries, that the highest offices of the State are accessible to persons of this condition, and that in point of fact they are rather benefited than otherwise by the change thus forced upon them; it may be readily conceived that wheresoever the right of property in a slave is subject to no control, and can be legally exercised to an unlimited extent, such a condition must always be open to the most perilous contingencies, as numerous instances serve to attest; and can hardly be palliated by purely exceptional circumstances, wherein the mass can in nowise be held to participate.

I think it right, at the same time, to acquaint your Lordship, that notwithstanding the ostensible abolition of slave-markets, and the technical objections to this Traffic already adverted to, the trade in black and white slaves is so far sanctioned, that the customs' duties payable thereon are distinctly set forth in a special tariff, purporting to regulate the *ad valorem* duties on articles the produce of the soil, and manufacture of the Ottoman empire, not comprised in the tariffs of friendly Powers;" while, in close connection with a multifarious series of "skins" of various animals, the following items appear in degrading assimilation:

Slaves.	White.	Black.
	Piastres.	Piastres.
Tariff valuation	6,500	1,784
16 per cent. deducted, as by British Tariff of 1850*	5,460	1,500
Internal Duty of 9 per cent. ..	491 16/40	135
Export Duty of 3 per cent.. ..	163 33/40	45
Total Duties	655 8/40	180

N.B.—The difference in the valuation between the White and the Black may serve as a criterion to indicate the relative prospects of each.

Inclosure 1 in No. 678.

Consul Saunders to Lord Stratford de Redcliffe.

Sir, *Prevesa, May* 10, 1854.

WITH reference to my former reports upon the subject of the 11 Arab slaves brought here from Candia for sale, I have the honour to transmit to your Excellency copies of two despatches which have been

* Extract from Tariff settled between Great Britain and Turkey on the 31st October, 1850:

"For articles of exportation 16 per cent. will be deducted from the current price, after which will be levied upon their value so reduced, 9 per cent. of internal duty and 3 per cent. of export duty."

addressed to me by Viscount Palmerston, whereby I am authorized to purchase their freedom at prime cost.

It may not be unreasonable to suppose that, although the Albanian owner was prepared to accept such conditions at that time, with the prospect before him of possibly losing; and being, moreover, under *quasi* arrest at the time, yet, having since incurred additional expenses for the transport and maintenance of the slaves, he may not be contented now, with that which he would have been too happy to receive then. I entertain, however, sanguine hopes of being able to secure the freedom of the slaves within the latitude which has been so liberally conceded for this purpose.

A further difficulty, however, presents itself in the nature of the obligation entered into with Ismail Pasha, by the parties who may have purchased any of these slaves, namely, to abide by whatever orders the Government might see fit to issue, as explained in my former despatch; so that it may be expected that such purchasers, having the opportunity of buying at a low rate under the conditions imposed, will scarcely be prepared to give up the slaves to the Pasha, unless such consignment be expressly enjoined by the Government.

I would therefore beg to submit to your Excellency the expediency of obtaining a Vizirial order to this effect, leaving it to be settled between Ismail Pasha and the British Consulate what compensation shall be given to the Albanian owner; and should it be found convenient to embody in such letter any expressions condemnatory of his proceedings, and intimating that the compensation awarded on this occasion is to be calculated upon the basis of the prime cost, as nearly as may be, I need hardly add that the impression produced will be most beneficial, and the solution considerably facilitated thereby.

I have, &c.

(Signed) SIDNEY SMITH SAUNDERS.

Inclosure 2 in No. 678.

Declaration.

To the Consul of Her Britannic Majesty in Epirus and Albania.

(Translation.)

Most Illustrious Effendi, *Prevesa, May* $\frac{5}{17}$, 1853.

MERCIFUL and just, benevolent and beneficent, to all who appeal to your clemency: we, your humble servants, beseech you, by the Almighty's compassion, the longevity of the mighty Queen Victoria, and the precious lives of your beloved children and self, to have pity upon us, miserable fathers of poor families, that we may not lose the money which we expended for the Arab girls, being indebted for this with our houses in pledge; and as soon as we go to our villages our creditors will constrain us to sell them. Moreover, we owe the captain of the vessel which brought us here 2,256 piastres, and he has deputed an agent to recover this amount.

In consideration of all these misfortunes, we entreat you, most merciful Effendi, to pardon the crime we have committed through our ignorance and evil destiny, and not permit us to lose the amount expended; but to have compassion upon us, whereof you are the type, as all proclaim; and we pledge ourselves to you from the present time, and during all the rest of our lives, that we shall never be heard to have carried on this Trade again. We therefore pledge ourselves all three, each for all, inseparably, that if at any time either of us should be known or heard to have taken part in this inhuman Traffic, we should be arrested, wheresoever it may be, and severely punished, in accordance with the humane and just British law. This, therefore, will have the force of a promissory note, that we may be liable to condemnation in the event of our transgressing the fore-

going engagement; and in attestation thereof, being illiterate, we have requested the undersigned trustworthy witnesses to subscribe our names, imprinting the marks of our fingers according to custom.

(Signed)

For the illiterate Ali Moutzo Teham, of the village of Verva, district of Filiates, I, Giorgio Athanasino Micali, subscribe as requested.

For the illiterate Omer Romantain, of the district of Filiates, village of Verva, I, Dionisius Vrioni, sign as requested; and he imprints the mark of his finger.

For the illiterate Hadji Youssouf Veizi, of the district of Filiates, village of Verva, I, Giorgio Kondojeanni, subscribe; and he imprints the mark of his finger.

No. 679.

The Earl of Clarendon to Consul Saunders.

Sir, *Foreign Office, August* 27, 1853.

I HAVE received your despatch of the 5th of August, reporting the steps taken by you in order to obtain the liberation of the 3 Nubians who had been brought from Candia to Prevesa to be sold as slaves; and I have the satisfaction to inform you that I entirely approve your proceedings in this matter.

I have to authorize you to reimburse yourself for the expenditure of 2,000 piastres which you incurred on this occasion, by drawing a bill on me at thirty days' sight for a sum equal, in English money, to the above amount.

You will give me due notice of the drawing of this bill, and you will transmit to me a receipt for the sum so expended.

I am, &c.

(Signed) CLARENDON.

UNITED STATES.

No. 680.

Mr. Crampton to the Earl of Clarendon.—(*Received April* 4.)

My Lord, *Washington, March* 19, 1853.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 25th of February of this year, relative to the praiseworthy efforts of the United States' Commodore Lavalette for the suppression of the Slave Trade, and to the employment of American vessels by the slave-dealers in Brazil and Cuba.

I have the honour to transmit to your Lordship herewith a copy of the note which, in obedience to your Lordship's instructions, I have addressed on the above subjects to the Secretary of the United States, and likewise a copy of Mr. Marcy's reply.

I have, &c.
(Signed) JOHN F. CRAMPTON.

Inclosure 1 in No. 680.

Mr. Crampton to Mr. Marcy.

Sir, *Washington, March* 16, 1853.

IN compliance with an instruction which I have received from the Earl of Clarendon, Her Britannic Majesty's Principal Secretary of State for Foreign Affairs, I have the honour to transmit to you herewith a copy of a despatch* which had been received at the Foreign Office from Mr. Rendall, Her Majesty's Consul in the Cape Verd Islands, reporting the circumstances under which Commodore Lavalette, of the United States' squadron, detained at Porto Praia and sent to the United States two American schooners from New York, named the "*Advance*" and the "*Rachel P. Brown*," which were fitted out for the Slave Trade; and I am instructed to inform you, Sir, that Her Majesty's Government have observed with great satisfaction the vigilance, promptitude, and firmness shown by Commodore Lavalette in causing these vessels to be seized and sent home, and in removing from his situation Mr. Perote, who, it appears, opposed the seizure, and tried to screen the captains of those vessels.

I am also desired to say, that Her Majesty's Government trust that the Government of the United States will afford all the support in their power to Commodore Lavalette, and to any other officers of the United States' navy who may exert themselves in a similar manner in order to prevent the vessels and the flag of the United States from being abased for the purpose of covering the nefarious devices of the slave-dealers.

With reference to this matter I am directed to communicate to you the inclosed copy of a despatch† from Mr. Southern, Her Majesty's Minister at Rio de Janeiro, by which you will learn that the employment of United States' vessels forms a prominent part of the schemes now in progress for the renewal of the Brazilian Slave Trade.

I am also instructed to inform you that the despatches of Her Majesty's

* See Class B, presented 1853, No. 196. † Ibid., No. 93.

Consul-General in Cuba show that the vessels and flag of the United States are now frequently used by the slave-dealers of Cuba, who are carrying on their operations more extensively and vigorously than they have for some years past.

I have, &c.
(Signed) JOHN F. CRAMPTON.

Inclosure 2 in No. 680.

Mr. Marcy to Mr. Crampton.

Sir, *Washington, March* 18, 1853.

I HAVE the honour to acknowledge the receipt of your note of the 16th instant, with which, by direction of your Government, you transmit to this department a copy of a despatch from Her Britannic Majesty's Consul in the Cape Verd Islands, reporting the circumstances under which Commodore Lavalette, of the United States' squadron, detained and sent to the United States two American schooners from New York, named the "*Advance*" and the "*Rachel P. Brown,*" which were fitted out for the Slave Trade; and express the satisfaction of Her Majesty's Government at the conduct of Commodore Lavalette on the occasion referred to, and its confidence that the Government of the United States will afford all the support in its power to him and to other officers of the United States' navy from being abased for the purpose of covering the nefarious devices of the slave-dealers.

You also transmit the copy of a despatch from Her Majesty's Minister at Rio de Janeiro, relative to the employment of United States' vessels in the schemes now in progress for the renewal of the Brazilian Slave Trade, and state that, from information received from Her Majesty's Consul-General in Cuba, it appears that the vessels and the flag of the United States are also now frequently used by the slave-dealers of Cuba.

I have, &c.
(Signed) W. L. MARCY.

No. 681.

Mr. Crampton to the Earl of Clarendon.—(Received May 10.)

My Lord, *Washington, April* 24, 1853.

I HAVE the honour to inclose to your Lordship a copy of a note which I addressed to the Secretary of State of the United States on the 19th instant, on the receipt of your Lordship's despatch of the 30th of March, informing me that you had received a despatch from Her Majesty's Chargé d'Affaires at Rio de Janeiro, dated the 14th of February, reporting that a United States' brig, name unknown, under the command of a person named José Maria Suma, had sailed about the middle of the month of January last from Monte Video for the coast of Africa, fully equipped for the Slave Trade.

I also inclose a copy of the answer which I have received from Mr. Marcy to that communication.

I have, &c.
(Signed) JOHN F. CRAMPTON.

Inclosure 1 in No. 681.

Mr. Crampton to Mr. Marcy.

Sir, *Washington, April* 19, 1853.

I HAVE the honour to inform you that Her Majesty's Government has received a despatch from Her Majesty's Chargé d'Affaires at Rio de Janeiro, reporting that a United States' brig, name unknown, under the command of a person named José Maria Suma, had sailed about the middle of the month of January last from Monte Video for the coast of Africa, fully equipped for the Slave Trade.

I have, &c.
(Signed) JOHN F. CRAMPTON.

Inclosure 2 in No. 681.

Mr. Marcy to Mr. Crampton.

Sir, *Washington, April* 20, 1853.

I HAVE the honour to acknowledge the receipt of your note of the 19th instant, in which you bring to the knowledge of this Government the fact that a United States' brig, under the command of one José Maria Suma, sailed about the middle of January last from Monte Video for the coast of Africa, equipped for the Slave Trade.

In reply, I have the honour to thank you for the information, and to state that it will at once be communicated to the Navy Department.

I have, &c.
(Signed) W. L. MARCY.

No. 682.

Mr. Ingersoll to the Earl of Clarendon.—(Received May 11.)

Legation of the United States,
My Lord, 45, *Portland Place, May* 11, 1853.

I AM instructed to lose no time in bringing to the notice of your Lordship the circumstances which are detailed in the inclosed papers.

It appears that on the 31st of March the ship "*Harriet*" of Bath, Maine, an American merchant-vessel, on a direct voyage from Savannah bound to Havana, was twice fired at by a war-steamer of Her Majesty, and being forcibly brought to, the ship and papers were examined, and she was detained about an hour and a-half. It also appears that on the 7th of April the ship "*Clara Ann*," of Bath, Maine, another American merchant-vessel, on her voyage from New York to Havana, was fired at by Her Majesty's war-steamer "Buzzard," at first with blank shot and afterwards with ball; after being forcibly brought to, she was boarded and detained from twenty to thirty minutes.

The particulars of both transactions are fully set forth in the inclosed statements under oath, which were duly made before the Consul of the United States at Havana.

While the professed object of these proceedings is sufficiently disclosed in the replies given by the boarding officers, there does not appear to have been any cause or justification for the exercise of them. The vessels were in their regular course; they were under no circumstances of suspicion; and nothing appears to have been imputed to them which could have excited jealousy or distrust. The Government of the United States will not be supposed to object to any lawful measures which Her Majesty's Government may adopt for the purpose of preventing the landing of Africans in Cuba and Porto Rico. It is understood that stringent

instructions have been recently given to the Naval Commander in the West Indies, to accomplish the faithful observance of the Treaty with Spain on the subject of the Slave Trade. The Government of the United States cannot, however, consent that the vessels belonging to its citizens, which are engaged in legitimate intercourse with Cuba, shall be fired at, arrested, and searched on the high seas, in order that the obligations of Spain may be more effectually fulfilled. It is expected that in carrying the Treaty stipulations into effect, the commerce of the United States will not be subjected to any molestation.

In bringing the subject immediately to the notice of your Lordship, which I have the honour now to do, I beg leave to express a hope that the execution of the orders of the Lords of the Admiralty, in the quarter in question, may have been entrusted to prudent officers; and that those orders themselves caution them against any abuse of their authority. Even if this just hope should have been anticipated by Her Majesty's Government, it is acknowledged that honest errors may sometimes be committed by the commanders of cruizing vessels; yet it is well known that acts of the kind now complained of, arising by possibility from mistaken motives, if in themselves without apparent pretext or any justification, will in our country be invariably imputed to a disregard, on the part of the officers, of the rights of the flag of the United States. This will create an irritation on the public mind which might endanger the peaceful relations of the two countries. It becomes my duty, therefore, to urge upon your Lordship the necessity of adopting every precaution calculated to prevent a recurrence of these complaints.

I am instructed to say that in regard to the case of the "*Harriet*," where the ship's papers were demanded and examined, and a long detention took place, the President expects that a report will be required from the officers who are charged with the acts complained of, and that if when received, it shall not materially conflict with the statement of Captain Otis, those officers will be made sensible of Her Majesty's displeasure. Your Lordship will readily perceive the reasonableness of this expectation, from the friendship as well as the justice of Her Majesty's Government. As the case has been presented to the Department at Washington, neither the position nor the course of the "*Harriet*," at the time she was arrested, afforded the slightest ground for suspicion that she was a vessel having Africans on board intended to be landed in Cuba. She was overtaken in that thoroughfare, for both the coasting and foreign trade, of the United States, which is always so thronged with their vessels that it may not be an exaggeration to say that the flag is visible there every day in the year. While circumspection is everywhere necessary in executing such orders as have been referred to, it is particularly required in the waters between East Florida and Cuba.

I have, &c.
(Signed) J. R. INGERSOLL.

Inclosure 1 in No. 682.

Certificate.

Consulate of the United States of America, Havana.

ON this 7th day of April, A.D. 1853, personally came and appeared James Otis, master of the ship "*Harriet*," of Bath (Maine), and made the following statement, which he would have made the day the said ship was entered in the Consulate of the United States, but he, said master, saw that the Consul was busy investigating a case against some sailors. To wit:

"On the 31st day of March last, being about thirty miles to the westward of the Double-headed Shot Keys, early in the morning, I saw a steamer and a hermaphrodite brig about seven or eight miles to the northward of me. The steamer was running different courses, but after a short time she commenced to steer about the same course that I was. After an

hour or an hour and a half I saw that she made sail. An hour after that she fired a shot, which I saw strike in the water right in the range of us. I then ordered our colours set, but before the colours were up she fired again. We then took in sail, and hove to. After the steamer got to within about a mile of us we saw that she had English colours flying. She then soon came up and hailed us, and asked us where we were from, and where we were bound? I told them we were from Savannah, bound to Havana. Some officer on board then said he was going to send a boat on board of us. I told him I did not care what he sent. Soon afterwards the boat came with two officers in her. I was in my cabin: the mate came in and said the officers wanted to see me. I went out, and they said that they wanted to take a look around the vessel. I told them they had taken the liberty to stop me on my way, and I supposed they would do as they had a mind to. I asked them if anything new had taken place that they were cruizing, stopping a vessel on her lawful voyage. They said they were cruizing to see that their Treaty was not infringed. After they had searched the vessel all around the house forward, and looking down the hatches, they asked me for the ship's papers. I allowed them to see them, but observed that I did not know of any right they had to demand them. Afterwards one of the officers went down between decks; and lastly went into their boats and left us. I was detained about one hour and a half.

(Signed) "JAMES OTIS."

Sworn to and subscribed before me, by the said master,
(Signed) W. L. SHARKEY,
Consul of the United States.

I, William L. Sharkey, Consul of the United States of America for the city of Havana and the dependencies thereof, do hereby certify that the copy of a sworn statement written on this and two preceding pages of this sheet of paper*, is a true and correct copy of the original in record in this Consulate.

In testimony, &c., this 7th of April, A.D. 1853.
(Signed) W. L. SHARKEY.

Inclosure 2 in No. 682.

Certificate.

Consulate of the United States of America, Havana.

ON the 9th day of April, A.D. 1853, personally came and appeared at the office of William L. Sharkey, Consul of the United States for the port and city of Havana, F. T. Hatch, master of the ship "*Clara Ann,*" of Bath (Maine), who made the following statement; to wit:

"When we were off the Pan of Matanzas, bound to Havana, distant about thirty miles, at daylight on last Thursday, 7th instant, we saw a steamer chasing us. The steamer fired a blank shot. I was not on deck at the time, but heard it, and immediately went out on deck, and found the American jack flying at our peak, hoisted by order of the mate. I immediately had the jack hauled down, and the American ensign set. The steamer continued in our wake for half an hour, and hauled off on the quarter, and fired a shot which struck the water about ten feet from the gangway, and skipped and landed under the bow. My colours had been flying for about half an hour before the second shot was fired. We hove to, and a boat with a lieutenant and ten men boarded the ship. The lieutenant inquired where we were from, where bound, and what cargo, and said he was in pursuit of slavers; and upon being told

* *Sic in orig.*

they left the ship. We were detained from twenty to thirty minutes. It was a British war-steamer called the 'Buzzard.'

(Signed) "F. T. HATCH."

Sworn to and subscribed, on the day and year above written, before me,

(Signed) W. L. SHARKEY.

On this 9th day of April, 1853, personally came and appeared Rufus H. Wood, of New York, now in Havana, who made the following statement; To wit:

"That he came as a passenger on board the American ship '*Clara Ann*,' from New York. When the ship was off the Pan of Matanzas, distant about thirty or thirty-five miles, on the morning of the 7th instant, about daylight, we saw a British war-steamer astern in chase of us. She fired a gun. The captain and myself were down below, and immediately went up. We found the American jack flying at our peak by order of the mate. The captain immediately ordered the jack hauled down, and the American ensign run up. After continuing on our way for about half an hour, with the American ensign constantly flying, the British steamer fired another shot, which struck about ten feet from the gangway, and passed under the bow, the spray from which came on deck. We immediately hove to, when the steamer came under our lee, and sent on board of us a cutter with ten men and an officer. The latter came on deck, and asked Captain Hatch where he was from, where bound, and what cargo he had on board? Upon being informed he bade us good morning, and left. The officer had stated that he was in search of slavers. I believe the steamer was the 'Buzzard.' The '*Clara Ann*' was detained from twenty to thirty minutes.

(Signed) "RUFUS H. WOOD."

Sworn to and subscribed, on the day of the date aforesaid, before me,

(Signed) W. L. SHARKEY.

I, William L. Sharkey, Consul of the United States of America, for the city of Havana and the dependencies thereof, do hereby certify that the copy of two sworn statements written on this sheet of paper,* is a true and correct copy of the originals of record in this office.

In testimony, &c., this 11th of April, A.D. 1853.

(Signed) W. L. SHARKEY.

No. 683.

The Earl of Clarendon to Mr. Crampton.

Sir, *Foreign Office, May* 13, 1853.

I TRANSMIT herewith a copy of a despatch† which has been received at this office from Her Majesty's Commissioners at Loanda, stating that two American vessels, the brig "*Silenus*," and schooner "*General de Kalb*," had succeeded at the beginning of the present year in carrying away from Ambriz and from a point called Cabeça de Cobra, upwards of 900 negro slaves.

I have to instruct you to communicate the inclosed despatch to the Secretary of State of the United States, and to call his serious attention to its contents, and you will say that Her Majesty's Government feel convinced that the Government of the United States will use every effort

* *Sic in orig.* † Class A, No. 57.

in order to prevent the revival of the African Slave Trade, for which criminal purpose there is reason to believe that United States' vessels are now extensively employed by the slave-dealers of Cuba and Brazil.

I am, &c.
(Signed) CLARENDON.

No. 684.

The Earl of Clarendon to Mr. Ingersoll.

Sir, *Foreign Office, May* 14, 1853.

I HAVE the honour to acknowledge the receipt of your letter of the 11th instant, stating that the American ship "*Harriet*," whilst on a voyage from Savannah to the Havana was, on the 31st of March last, fired at by a British war steamer, and forcibly detained for an hour and a half; and also that the American ship "*Clara Ann*," bound from New York to the Havana, was, on the 7th ultimo, fired at, and forcibly detained between twenty and thirty minutes, by Her Majesty's ship "Buzzard."

I beg to inform you, that Her Majesty's Government will cause immediate inquiry to be made with regard to the occurrences mentioned in your letter.

I am, &c.
(Signed) CLARENDON.

No. 685.

The Earl of Clarendon to Mr. Ingersoll.

Sir, *Foreign Office, May* 27, 1853.

WITH reference to my letter of the 14th instant, informing you that Her Majesty's Government would cause immediate inquiry to be made as to the circumstances under which two American merchant-vessels, named the "*Harriet*" and the "*Clara Ann*," had been detained by British war-steamers, as stated in your letter to me of the 11th instant, I have the honour to acquaint you that the Lords of the Admiralty have received from Sir George Seymour, the Vice-Admiral commanding Her Majesty's naval forces in the West Indies, a despatch reporting the circumstances which induced Commander Campbell, the officer in command of Her Majesty's steam-sloop "Devastation," to detain the United States' ship "*Harriet*," on the 31st of March last, and stating that the Vice-Admiral had disapproved Commander Campbell's conduct upon that occasion.

I transmit herewith copies of Sir George Seymour's above-mentioned despatch, and of its inclosures, and also a copy of a letter which Commander Dobbie of Her Majesty's steam-slop "Buzzard," addressed to the British Consul-General at Havana on the 18th of April last, explaining his reasons for having on the 7th of that month stopped and boarded the United States' ship "*Clara Ann*."

You will learn from Sir George Seymour's despatch, that he has already notified to Commander Campbell of the "Devastation," that in bringing to and in boarding the "*Harriet*," especially after she had shown her colours, he had not carefully observed the instructions with regard to those points which have been issued to Her Majesty's ships on the American station.

And I have also to inform you, that the Lords of the Admiralty will direct Sir George Seymour to express to the officers who have thus departed from their instructions, the displeasure of the Board of Admiralty.

I have to add, that the Vice-Admiral will, moreover, be specially

directed to call the attention of the commanding officers under his orders, to the caution which it is necessary to observe towards vessels engaged in lawful traffic under the flag of a friendly nation, even though that flag is too frequently used to cover the Slave Trade, which is declared by the law of the United States to be piracy.

Her Majesty's Government are sincerely anxious that the British officers employed in the irksome duty of cruizing for the suppression of the Slave Trade should avoid every just cause of offence to the Government of the United States, and should treat the flag of that country with the greatest respect; but Her Majesty's Government cannot but feel that the neglect of American merchantmen to show their colours, exposes those officers to much embarrassment and difficulty in properly performing that duty.

The Board of Admiralty has suggested, with reference to this frequently recurring cause of misunderstanding, that unnecessary irritation would be prevented, and that the peaceful relations of the two countries would be effectually preserved, if the national colours were invariably hoisted when British and American ships happen to meet; and I take this opportunity of requesting that you will have the goodness to recommend the above suggestion to the consideration of the United States' Government.

I am, &c.
(Signed) CLARENDON.

Inclosure 1 in No. 685.

Vice-Admiral Sir G. Seymour to the Secretary to the Admiralty.

Sir, "*Cumberland*," *at Bermuda, April* 25, 1853.

I BEG to report that on the arrival of the "Devastation," yesterday, form the Havana, I received from Commander Campbell a copy of a statement which he had thought necessary to draw up in consequence of the master of the American ship "*Harriet*," of Bath, United States, having deposed before his Consul at the Havana that Commander Campbell had exercised a right of search against that ship—a transcript whereof is herewith forwarded, as well as copies of two statements made by the officers of the "Devastation."

It appears by Commander Campbell's statement that this was not the case; but I consider that officer's conduct was ill-judged in firing shot and shell to induce the "*Harriet*," by their sound, to bring to, even with the knowledge that neither could reach the vessel, and in having, on subsequently going on board to verify the fact of her nationality, omitted to comply with the instructions which prescribe the mode of conduct when boarding American ships.

These difficulties doubtless originate in the desire of the American masters to show their independence, by not hoisting their flag, but it does not render it less incumbent on the commanders of Her Majesty's ships to carry out punctually the directions for the use of ships employed for the suppression of Slave Trade; and I send orders to-day, in stringent terms on this subject, to the senior naval officer at the Havana, with injunctions to confine this use of shot to unmistakeable cases, where they may be required to overcome opposition when other means have failed.

I have written to Mr. Crampton, Her Majesty's Minister at Washington, as it may be desirable that he should be apprized of my having inculcated increased caution in reference to these circumstances. I inclose a copy of my letter for their Lordships' information, and I also add a précis of the evidence taken by me from the officers of the "Devastation."

I have, &c.
(Signed) G. F SEYMOUR.

P.S.—*April* 26. I inclose a copy of a letter I have just received from Commander Campbell. I shall be glad if the additional reasons he has given for his conduct prove satisfactory to their Lordships.

Inclosure 2 in No. 685.

Commander Campbell to Vice-Admiral Sir G. Seymour.

Sir, "*Devastation*," *Bermuda, April* 25, 1853.

REFERRING to my having, on the morning of the 31st ultimo, visited the United States' ship "*Harriet*," of Bath, I have the honour to state that, under the instructions for the guidance of officers employed in the suppression of the Slave Trade, 5th section, I considered it my duty so to visit the vessel in question, suspecting that she was not a United States' vessel for the following reasons.

The "*Harriet*" did not for three hours hoist any colours, although chased all the time by this sloop.

She altered course and made sail during that time, and was light in draught, such as a slaver might be expected to be on completion of her voyage, and having consumed her provisions and water. In addition to this she was ship-rigged, which the "*Lady Suffolk*," a notorious slaver, expected daily, also is.

Even when she did hoist her colours, after which not a gun was fired, I was still suspicious from knowing that the vessel which landed slaves near Matanzas on the 15th ultimo, did so under the United States' flag.

With respect to the instructions, under the same section, as to going ahead and dropping a boat alongside, I had no opportunity of doing it, as the vessel hove to without being desired to do so, although the "Devastation" was at a great distance.

This may have been in consequence of the firing, but I considered it my duty to see the colours of every vessel, not judging that any nationality could be claimed or admitted till a course rendered imperative by ancient custom, at least, among civilized nations, had been complied with.

With respect to the unusual course adopted by me on this occasion of firing shell, I did so in consequence of the distance of the ship, thinking in my anxiety to examine several other vessels then in sight that the second report made by the shell bursting would be heard better than the report of the gun, and if so, might induce the chase to show her colours sooner, while the rate she was going at was obliging me to keep up a great pressure of steam and to expend much coal in consequence.

That I might be sure the visit was conducted with as much mildness as possible, I went myself, and had Mr. Harris, midshipman, with me, whose statement as to the willingness of the master to show me his ship proves that at that time at least there was no bad feeling on his part.

In the instructions to the senior officer on the coast of Africa, section 6, pages 16 and 17, officers commanding Her Majesty's cruizers are instructed to co-operate with the officers commanding United States' vessels of war in examining suspected vessels under the United States' flag. No such vessels of war being on the coast of Cuba, I deemed myself authorized to visit in this case, because British officers are directed to leave the United States' officer first to visit vessels under the flag of his country, only "provided that in so doing no such delay is incurred as may enable her to escape altogether unvisited."

I have, &c.

(Signed) COLIN G. CAMPBELL.

Inclosure 3 in No. 685.

Mr. Harris to Commander Campbell.

Sir, "*Devastation*," *Bermuda, April* 25, 1853.

I BEG to state that having gone on board the United States' ship "*Harriet*," of Bath, with you, on the morning of the 31st ultimo, I heard you ask for the captain, who was then in his cabin, and on his coming out you asked to look at his papers, and at the same time remarked that if he had first hoisted his colours you would not have chased him; you then, on

the captain's invitation, went into the cabin and looked at the papers, and I filled up the boarding-book.

On coming out of the cabin I observed that the hatches were all off fore and aft, and you remarked to the captain that his ship was a very fine one, and that you would like out of curiosity to see the lower deck, upon which he invited you to walk down; and on your saying that if he had the least objection you would not do so, he again invited you to go down, and went down with you.

I was astonished to hear that any complaint had been made, because I remembered your remarking to me on leaving the vessel how civil the captain had been.

I have, &c.
(Signed) W. T. A. HARRIS,
Midshipman.

Inclosure 4 in No. 685.

Messrs. Chetwynd and Way to Commander Campbell.

Sir, "*Devastation*," *Bermuda, April* 25, 1853.

IN compliance with your order, we beg to state the circumstances which came under our notice during the chase of the American ship "*Harriet*," of Bath, on the 31st ultimo.

At the time the first shot was fired the "Devastation" was about six miles from chase. On seeing that she took no notice of it, or the second, you remarked that she might, if a shell was fired at long range, hear the report of it on its bursting, as you were desirous of examining the other vessels then in sight; she was at this time about five miles distant.

The "*Harriet*" had no colours flying for three hours after the chase commenced, and when she did hoist them, hove to without being desired to do so.

No gun was fired after chase showed her colours; and no gun was fired which could range half the distance of the ship in question.

We have, &c.
(Signed) H. W. CHETWYND, *Lieutenant.*
JOHN WAY, *Master.*

Inclosure 5 in No. 685.

Vice-Admiral Sir G. Seymour to Mr. Crampton.

Sir, "*Cumberland*," *at Bermuda, April* 25, 1853.

I HAVE the honour to inform your Excellency that I received orders on the 21st instant, from the Lords Commissioners of the Admiralty, to report on the circumstances under which an English frigate was alleged to have fired at the American barque "*Martha Anne*," off the coast of Cuba, in February last.

As the "Vestal" was the only frigate in that quarter, I have no doubt she is the ship referred to, and not being cognizant of the facts of the case, I have called upon her captain to report them fully for the information of Her Majesty's Government.

I have this day also, with regret, been acquainted that the master of the American ship "*Harriet*" has made a deposition before the United States' Consul at the Havana, that the commander of Her Majesty's steam-sloop "Devastation" had searched his vessel on the 31st March, off Cuba.

Commander Campbell denies this assertion; and I understand that his statement of the transaction has been forwarded by Mr. Crawford, Her Majesty's Consul-General at Havana, for your information.

I possess only a partial knowledge of these transactions, having only the statement of one party in each case; I am not, therefore, at present, in a position to pronounce definitively on the conduct of the officers com-

manding these vessels, but I think it is right you should be informed that a full inquiry will be made into the circumstances complained of.

The "Vestal" and "Devastation" were sent to the coast of Cuba in consequence of the great increase of the African Slave Trade in that island, in direct contravention of the Treaty between Great Britain and Spain. I shall again enforce upon the commanders so employed the strictest observance of their instructions, which point out distinctly that Great Britain claims no right in the suppression of that Traffic except that possessed by the Law of Nations, or by virtue of special Treaty; and I shall also inculcate the caution which is necessary towards all foreign vessels, and especially on a coast like the western part of Cuba, by which so large an amount of trade is carried on.

I understand that the Spanish slaving-vessels have lately made that part of the island their object, from an expectation that the number of vessels constantly passing would prevent their being distinguished; and the knowledge of British officers that ships built in the United States have been sold to Spanish subjects for the Slave Trade, has increased their desire to ascertain the character of vessels which created suspicion of being those expected in Cuba, when they showed no colours.

In case of your being in communication with the Government of the United States on this subject, I wish to observe to you that the instructions drawn up for the direction of Her Majesty's ships have strict regard to the Treaties which may exist with Great Britain, and it becomes, therefore, of additional importance to the general interests that the custom which has prevailed since the earlier times of navigation, that all vessels, whether belonging to the State or merchants, should in passing show their colours, should be encouraged by their Governments.

The display of the ensign is the first evidence of a vessel's nationality, and must tend to ensure the regard which is due to the State to which she may belong.

I have, &c.
(Signed) G. F. SEYMOUR.

Inclosure 6 in No. 685.

Evidence taken from the Officers of Her Majesty's steam-sloop "Devastation," relative to a Deposition made by the Master of the American ship "Harriet," that his ship had been searched by the Commander of the "Devastation."

Bermuda, April 25, 1853.

LIEUTENANT THE HON. H. W. CHETWYND, senior lieutenant, stated that at 6 A.M. on the 31st of March, a large light ship was observed running, about four points on the starboard bow, the "Devastation" steaming lightly to windward. Steered to cut her off, when the chase up towards the land, which was generally considered suspicious.

At 8·15, being then about six miles off, the "Devastation" fired a blank cartridge and afterwards shot and two shells, though the vessel was about five miles off, the captain saying that he thought the shells on bursting, at long range, might carry on the sound, and make the chase hoist her colours. After chasing for three hours the vessel hoisted American colours, being then about four miles and a-half distant, and hove to. Captain Campbell, on closing, went on board the stranger, which proved to be the ship "*Harriet*," of Bath, United States.

Mr. John Way, master, stated that he estimated the distance of the chase to be six miles when the shells were fired; that her not hoisting any colours, and hauling off, seemed suspicious and like a slaver; that she was four miles off when she hoisted her colours; that Captain Campbell said he thought firing shells would attract attention, and that the gunner was particularly ordered not to point the guns in the direction of the ship, although at such a long distance.

Mr. William Parker, gunner, stated, that he was officer of the forenoon watch on the 31st of March; and that at 8 A.M. the "Devastation" was six miles from the "*Harriet*;" that when he was ordered to fire

a gun he received directions to fire well clear of the chase, whether with shot or shell; that he cut the fuzees to 2,000 yards, and gave 8° of elevation; that when the last shot was fired the vessel could not have been less than five miles off; thinks the shells may have frightened the master of the vessel and made him heave to; considers it impossible, at the distance, that either shot or shell could have reached the vessel.

Mr. W. F. Harris, midshipman, stated, that he was midshipman of morning watch; that the captain ordered him to accompany him when he boarded the "*Harriet*;" that the master of the vessel was in his cabin when they got on board; but that he came on deck when requested; that Captain Campbell asked him for his papers, and said that if he had hoisted his colours he should not have chased him. The American captain said he had only heard one shot, and did not know it was meant for him; that they all three walked down into the cabin, where the papers were produced, and that he, Mr. Harris, filled up the boarding book, and there was no altercation whatever. On coming on deck Captain Campbell observed to the American captain that he had a very fine ship, and he should like to look round her decks if the captain had no objection; the captain said he had none, and accompanied him to the deck below. The "*Harriet*" was from Savannah in ballast, bound to the Havana, and returned again in ballast to Savannah.

(Signed) G. F. SEYMOUR,
Vice-Admiral.

Inclosure 7 in No. 685.

Commander Dobbie to Consul-General Crawford.

Sir, "*Buzzard*," *at Havana, April* 18, 1853.

HAVING learnt that the United States' Consul has forwarded to his Government the declaration of the master of the American merchant-ship "*Clara Ann*," I have to request that you will place before Her Majesty's Government, and our Minister at Washington, the following statement of the facts of this case:

The morning of the 7th April, before daylight, I chased a barque, which proved eventually to be the "*Clara Ann*." At the first dawn of day I hoisted colours, and she in return showed what was taken on board for a Spanish flag; she afterwards hauled that down, and half-hoisted what appeared to be a black flag, and again replaced that by the United States' ensign. Under these suspicious circumstances I fired first a blank cartridge, and then a shot, past her, to indicate my intention of boarding her, on which she hove to.

A lieutenant went on board; and seeing at once that she was an American merchant-vessel, stated that his hoisting a Spanish flag was the cause for stopping him.

Her captain turned to the mate, and was told they had hoisted their distinguishing flag, red, with her name in yellow letters, and then the United States' union, which we took for the black flag.

The boat only remained alongside to receive this explanation, and left the ship to pursue her course.

I have, &c.
(Signed) WM. H. DOBBIE.

No. 686.

Mr. Ingersoll to the Earl of Clarendon.—(Received May 31.)

Legation of the United States,
My Lord, 45, *Portland Place, May* 31, 1853.

I HAVE the honour to acknowledge the receipt of your Lordship's letter of the 27th instant, and to express my just sense of the frankness and candour with which the sentiments of the Vice-Admiral and the

Lords of the Admiralty have been stated upon the occasion of the detention of the American merchant-ship "*Harriet*" on the 31st of March last. I will not delay to convey to my Government the views of the different officers as they are exhibited in the papers of which copies are inclosed to me by your Lordship. It will give me pleasure to commend to the favourable consideration of the Government of the United States the suggestion of the Board of Admiralty "that unnecessary irritation would be prevented, and that the peaceful relations of the two countries would be effectually preserved, if the national colours were invariably hoisted when British and American ships happen to meet."

I have, &c.
(Signed) J. R. INGERSOLL.

No. 687.

Mr. Crampton to the Earl of Clarendon.—(Received June 13.)

My Lord, *Washington, May* 30, 1853.

I HAVE the honour to inclose to your Lordship a copy of a note which, in obedience to the instructions contained in your Lordship's despatch of the 13th instant, I have this day addressed to the Secretary of State of the United States relative to the fact of 900 negro slaves having lately been carried off from the coast of Africa by the brig "*Silenus*" and the schooner "*General de Kalb*," both under the flag of the United States.

I have, &c.
(Signed) JOHN F. CRAMPTON.

Inclosure in No. 687.

Mr. Crampton to Mr. Marcy.

Sir, *Washington, May* 30, 1853.

IN obedience to an instruction which I have received from Her Majesty's Principal Secretary of State for Foreign Affairs, I have the honour to transmit to you herewith a copy of a despatch* which had been received in London from Her Majesty's Commissioners at Loanda, stating that two American vessels, the brig "*Silenus*" and the schooner "*General de Kalb*," had succeeded, in the beginning of the present year, in carrying away from Ambriz and from a point called Cabeça de Cobra upwards of 900 negro slaves; and I am likewise directed by the Earl of Clarendon to call your serious attention to its contents, and to say that Her Majesty's Government feel convinced that the Government of the United States will use every effort in order to prevent the revival of the African Slave Trade, for which criminal purpose there is reason to believe that United States' vessels are now extensively employed by the slave-dealers of Cuba and Brazil.

I have, &c.
(Signed) JOHN F. CRAMPTON.

No. 688.

The Earl of Clarendon to Mr. Ingersoll.

Sir, *Foreign Office, June* 15, 1853.

WITH reference to your letter of the 17th of March last, calling the attention of Her Majesty's Government to a letter which had been published in the "New York Herald" relative to an attack said to have been

* Class A, No. 57.

made by a British frigate upon the United States' barque "*Martha Anna*," I have now the honour to transmit to you the accompanying copy of a letter which has been received at the Board of Admiralty from Captain Hamilton of Her Majesty's ship "Vestal," the frigate referred to in your letter.

I inclose also a copy of a standing order issued by Captain Hamilton to the officers under his command for their guidance in regard to American vessels met by the "Vestal."

I trust that the contents of these papers will be satisfactory to the Government of the United States, and will show how much exaggeration there was in the letter which the master of the "*Martha Anna*" addressed to the "New York Herald;" and I beg leave to remark that the circumstances of this case afford fresh testimony in support of the concluding observations of my letter to you of the 27th ultimo, in which I pointed out that it appeared to Her Majesty's Government that if the merchant vessels of the United States would show their national colours according to usual custom, much inconvenience and irritation would be avoided.

I am, &c.

(Signed) CLARENDON.

Inclosure 1 in No. 688.

Captain Hamilton to Vice-Admiral Sir G. Seymour.

Sir, "*Vestal*," *at Halifax, May* 19, 1853.

IN answer to your letter of the 21st ultimo, inclosing one from the United States' Minister in London touching a statement in an American newspaper that a British frigate fired into an American barque off the port of Matanzas, and requiring me to report thereon, I have the honour to state as follows:

At the time mentioned by the American captain I was cruizing off the Cuban coast, in the neighbourhood of Matanzas, having reason to suspect that the celebrated barque "*Lady Suffolk*," built in America, under other or no colours, was to land her slaves in that neighbourhood; my boats were away watching the particular spots where alone she could run her slaves. I perceived a barque running for the coast; made sail in chase. On closing her she would not shew any colours; several persons were on the poop of the barque looking at us, and persisting in showing no colours; I ordered a musket to be fired off in the air, still making no demonstration of moving; I ordered another musket to be fired over her, which was done, and I saw the musket pointed in a way that could endanger no one.

On this he immediately hoisted American colours, and I hailed to know why he had not let me know his nationality before. He answered "Well, I guess we were eating our supper." Nothing more occurred, and I stood away again for my cruizing ground.

I might mention that the same newspaper, the "Weekly Herald" of New York, now in my possession, mentions that the barque "*Lady Suffolk*" has landed 600 slaves near the port of Matanzas.

The American captain commences by saying that he saw at an early hour a frigate standing after him; a musket was fired a-head next; that they were down at supper, to which I and my officers can solemnly declare that the master and all were and had been all along looking at us from the poop. He next states that the ball went through his sail, but on his joking afterwards with my officers about it at the Havana, talking of the dance he had led us; and on their asking him to show where he was hit, he pointed to the foretop-gallant-yard, and showed a mark which proved to be the chafe of the rigging. He never made any complaint to me, and the American Consul at Havana remarked to me that he ought to have shown his colours. The captain then states that all my men were at the guns; but the guns were not loaded, nor were the tompions taken out, much less were the guns pointed; the men were assembled on the forecastle, skylarking, and dancing to the fiddle, which the American ought to have seen; next he states that if he had not hoisted his colours, I should

doubtless have blown him out of the water. I would remark to these statements that the ground of my firing at an American ship is at once cut from under them, as they must allow, and have themselves allowed, that I fired to oblige them to show their nationality, and having ascertained and remonstrated with them for not doing so before went away.

It is my duty to observe that there is a sort of false pride which makes most of the American merchant ships dislike showing their colours to a British man-of-war, and which they are aware considerably perplexes us in cruizing for slavers; and the captain of the American barque above alluded to boasted much in Havana of his exploit, which was greatly applauded there.

(Signed) C. B. HAMILTON.

Inclosure 2 in No. 688.

Standing Order relative to Americans, issued on the Coast of Cuba, when cruizing there.

Memo. *"Vestal," Havana, January* 21, 1853.

TO prevent any possible mistake or misunderstanding in case of falling in with American vessels, it is my order that no American vessel is on any account to be boarded, searched, or detained; and even in sending to them for papers and letters which they so kindly forward to us, you should only allow a boat to go alongside, after such American ship has come to an anchor, thus putting aside any possible doubts as to our detaining them.

(Signed) C. B. HAMILTON, *Captain.*

To the Officers of H.M.S. "Vestal."

No. 689.

Mr. Ingersoll to the Earl of Clarendon.—(Received June 16.)

Legation of the United States,

My Lord, *45, Portland Place, June* 16, 1853.

I HAVE the honour to acknowledge the receipt of your Lordship's letter of the 15th instant, written with reference to mine of the 17th of March last, and transmitting to me the copy of a letter which has been received at the Board of Admiralty from Captain Hamilton, of Her Majesty's ship "Vestal," and also the copy of a standing order issued by Captain Hamilton to the officers under his command, for their guidance in regard to American vessels met by the "Vestal." These papers will at the earliest moment be made known to my Government.

I have already brought to the notice of my Government the suggestions contained in your Lordship's letter of the 27th ultimo, relative to the advantage that would arise if the merchant vessels of the United States would show their colours according to usual custom.

I have, &c.

(Signed) J. R. INGERSOLL.

No. 690.

The Earl of Clarendon to Mr. Crampton.

Sir, *Foreign Office, June* 16, 1853.

I TRANSMIT to you, herewith, a copy of a despatch* and of its inclosure, which Her Majesty's Government have received from Rear-Admiral Bruce, the Commander-in-chief of Her Majesty's Naval Forces on the west coast of Africa station, calling attention to the embarrassments

* Class A, No. 114.

to which Her Majesty's naval officers employed in the suppression of the Slave Trade are subjected, owing to the practice which has recently been renewed by masters and supercargoes of United States' vessels, of selling their ships on the coast of Africa to be employed as slavers.

I have to instruct you to communicate these papers to the United States' Government, and to press upon them the necessity of increasing their naval force on the west coast of Africa, in order to prevent this desecration of the American flag.

I am, &c.
(Signed) CLARENDON.

No. 691.

Mr. Crampton to the Earl of Clarendon.—(*Received June* 19.)

My Lord, *Washington, June* 5, 1853.

WITH reference to your Lordship's despatch of the 13th ultimo, and to my despatch to your Lordship of the 30th ultimo, relative to the carrying off of 900 negro slaves from the coast of Africa by the American vessels "*Silenus*" and "*General de Kalb*," I have the honour to inclose to your Lordship a copy of the reply which I have received from the United States' Government to the note which I addressed to it in pursuance of your Lordship's instructions. In this note the Secretary of State states, that Her Majesty's Government does no more than justice to the United States in believing that they will use their best endeavours to prevent the abuse of their flag for slave-trading purposes.

I have, &c.
(Signed) JOHN F. CRAMPTON.

Inclosure in No. 691.

Mr. Marcy to Mr. Crampton.

Sir, *Washington, May* 31, 1853.

I HAVE the honour to acknowledge the receipt of your note of the 30th instant, inviting my serious attention to the contents of an inclosed copy of a despatch from Her Britannic Majesty's Commissioners at Loanda, in which it stated that two American vessels, the brig "*Silenus*," and the schooner "*General de Kalb*," had recently succeeded in carrying away from Ambriz and a point called Cabeça de Cobra, upwards of 900 negro slaves. You likewise add, that Her Majesty's Government feel convinced that the Government of the United States will use every effort to prevent the revival of the African Slave Trade, for which purpose there is reason to believe that United States' vessels are now extensively employed by the slave-dealers of Cuba and Brazil.

In reply, I have the honour to state that Her Majesty's Government does no more than justice to the United States, in believing that they will use their best endeavours to prevent the abuse of their flag for slave-trading purposes.

I have, &c.
(Signed) W. L. MARCY.

No. 692.

The Earl of Clarendon to Mr. Crampton.

Sir, *Foreign Office, June* 28, 1853.

WITH reference to my despatch of the 31st ultimo, I herewith transmit to you, for your information, a copy of a letter, and of its inclosure, which have been received at this office from the Admiralty,

relative to the complaint of Mr. Ingersoll, as to the United States' merchant-vessels "*Harriet*" and "*Clara Ann*" having been visited by Her Majesty's ships "Buzzard" and "Devastation."

I am, &c.
(Signed) CLARENDON.

Inclosure 1 in No. 692.

The Secretary to the Admiralty to Lord Wodehouse.

My Lord, *Admiralty, June* 20, 1853.

WITH reference to former correspondence, I am commanded by my Lords Commissioners of the Admiralty to send you herewith, for the information of the Earl of Clarendon, copy of a letter from Vice-Admiral Sir George Seymour, dated the 7th instant, relative to the United States' vessels "*Harriet*" and "*Clara Ann*" having been detained off the coast of Cuba; also a copy of the order given by the Vice-Admiral on the 6th of May last, to Her Majesty's cruizers, to avoid the use of shot in bringing vessels to, except on unmistakeable occasions, whilst employed in the suppression of the Slave Trade.

I am, &c.
(Signed) W. A. B. HAMILTON.

Inclosure 2 in No. 692.

Vice-Admiral Sir G. Seymour to the Secretary to the Admiralty.

Sir, "*Cumberland*," *Halifax, June* 7, 1853.

I HAVE to acknowledge the receipt of your letter of the 17th ultimo, with its inclosures, relating to the cases of the American vessels "*Harriet*" and "*Clara Ann*," and have expressed, as therein directed, to Commanders Dobbie and Campbell the displeasure of the Lords Commissioners of the Admiralty at their examination of these vessels not having been made in the manner prescribed by their instructions.

In reference to their Lordships' directions that I should specially call the attention of the commanding officers of the cruizers under my orders, to the caution which it is necessary to observe towards vessels engaged in lawful traffic on the coast of Cuba, I inclose herewith a copy of an order I sent to Commodore Mc Quhae on the 6th of May, directing them to avoid the use of shot, except on unmistakeable occasions, while employed on that coast,—which I hope will meet their Lordships' views.

I have already called their Lordships' attention to the difficulties under which officers have been placed in endeavouring to reconcile the strict execution of their orders to use every effort to arrest the Slave Trade in that island, with the regard due to foreign commercial vessels, when the same flag frequently covers both the nefarious and the innocent purpose, and the American masters engaged in the latter are remiss in showing their national ensign.

I have, &c.
(Signed) G. F. SEYMOUR.

Inclosure 3 in No. 692.

Vice-Admiral Sir G. Seymour to Commander Mc Quhae.

Sir, "*Cumberland*," *Bermuda, May* 6, 1853.

HAVING had occasion to observe that shot have been fired to bring-to merchant-ships by some of Her Majesty's ships on the coast of Cuba, when their character might have been ascertained without resorting

to such coercive measures, which are particularly objectionable in time of peace, on a coast by which an extensive commerce is continually passing, I have to desire you will call upon the respective commanding officers of Her Majesty's ships under your command to pay the utmost attention to the instructions of the Lords Commissioners of the Admiralty for the guidance of officers employed on the suppression of Slave Trade, and to direct them to reserve the use of shot for unmistakeable occasions, when the honour of their flag, or the necessity of using force in carrying out an authorized object in strict conformity with those instructions, may require the armament of the ships they command to be applied to overcome opposition when all other means have failed.

I have, &c.
(Signed) G. F. SEYMOUR.

No. 693.

Mr. Crampton to the Earl of Clarendon.—(Received July 18.)

My Lord, *Washington, July 3, 1853.*

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of June 16; and I have the honour to inclose to your Lordship a copy of a note which I have addressed to the Secretary of State of the United States, calling his attention to the practice which has recently been renewed by masters and supercargoes of United States' vessels, of selling their ships on the coast of Africa to be employed as slavers; and pressing upon the attention of the United States' Government the necessity of increasing their naval force on the west coast of Africa, in order to prevent this desecration of the American flag.

I have, &c.
(Signed) JOHN F. CRAMPTON.

Inclosure 1 in No. 693.

Mr. Crampton to Mr. Marcy.

Sir, *Washington, July 1, 1853.*

IN obedience to an instruction which I have received from the Earl of Clarendon, &c., I have the honour to transmit to you herewith a copy of a despatch* and of its inclosure which Her Majesty's Government have received from Rear-Admiral Bruce, the Commander-in-chief of Her Majesty's naval forces on the west coast of Africa station, calling attention to the embarrassment to which Her Majesty's naval officers employed in the suppression of the Slave Trade are subjected, owing to the practice which has recently been renewed by masters and supercargoes of United States' vessels, of selling their ships on the coast of Africa to be employed as slavers. And I am further instructed, in communicating these papers, to press upon the Government of the United States the necessity of increasing their naval force on the west coast of Africa, in order to prevent this desecration of the American flag.

I have, &c.
(Signed) JOHN F. CRAMPTON.

No. 694.

The Earl of Clarendon to Mr. Crampton.

Sir, *Foreign Office, August 3, 1853.*

I TRANSMIT herewith, for your information, a copy of a despatch† which I have received from Her Majesty's Chargé d'Affaires at Rio de Janeiro, inclosing an extract from a Brazilian newspaper, which states

* Class A, No. 114. † No. 94.

that Mr. Schenck, the United States Minister in Brazil, has proposed to his Government the adoption of certain measures for the more effectual prevention of the Slave Trade.

I am, &c.
(Signed) CLARENDON.

No. 695.

The Earl of Clarendon to Mr. Crampton.

Sir, *Foreign Office, August* 4, 1853.

I TRANSMIT herewith a copy of a despatch* which I have received from Mr. Crawford, Her Majesty's Consul-General at Havana, respecting the employment of an American barque called the "*Jasper*," in the conveyance of slaves from the west coast of Africa to Cuba.

I inclose also a copy of the despatch† from Her Majesty's Consul in the Bight of Biafra, which is therein referred to.

And I have to instruct you to transmit copies of these papers to the Secretary of State of the United States, in order that he may, if he should think fit, cause them to be communicated to the naval commanders of the United States who are charged with the suppression of the Slave Trade.

I am, &c.
(Signed) CLARENDON.

No. 696.

Mr. Crampton to the Earl of Clarendon.—(Received September 5.)

My Lord, *Washington, August* 22, 1853.

I HAVE the honour to acknowledge the receipt of your Lordship's two despatches of the 3rd and 4th instant, and to transmit to you herewith a copy of a note which, in obedience to the instruction contained in your despatch of the 9th, I have addressed to the Secretary of State of the United States, relative to the employment of the American barque "*Jasper*" in the conveyance of slaves from the west coast of Africa to Cuba.

I have, &c.
(Signed) JOHN F. CRAMPTON.

Inclosure in No. 696.

Mr. Crampton to Mr. Marcy.

Sir, *Washington, August* 19, 1853.

IN compliance with an instruction from the Earl of Clarendon I have the honour to transmit to you herewith a copy of a despatch* from Mr. Crawford, &c., respecting the employment of an American barque called the "*Jasper*" in the conveyance of slaves from the west coast of Africa to Cuba; likewise, a copy of the despatch† from Her Majesty's Consul in the Bight of Biafra which is therein referred to, in order that you may, if you should think fit, cause them to be communicated to the naval commanders of the United States who are charged with the suppression of the Slave Trade.

I have, &c.
(Signed) JOHN F. CRAMPTON.

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* No. 551. † No. 63.

No. 697.

The Earl of Clarendon to Mr. Crampton.

Sir, *Foreign Office, November 5*, 1853.

I TRANSMIT to you herewith, for your information, a copy of a report,* dated the 30th of June last, on the state of Slave Trade on the east coast of Africa which has been received at the Admiralty from Commander Keane, of Her Majesty's ship "Grecian," in which that officer alludes to the suspicious movements of certain vessels sailing under American colours in the Mozambique channel.

I am, &c.
(Signed) CLARENDON.

No. 698.

The Earl of Clarendon to Mr. Crampton.

Sir, *Foreign Office, January 26*, 1854.

I TRANSMIT to you herewith a copy of a despatch† from Mr. Crawford, &c., stating his grounds for thinking that slave-vessels intended for the African and Cuban Slave Trade will henceforward be chiefly fitted out in United States' ports.

I have to instruct you to request the United States' Government to give special directions to the American Customs' officers not to allow any slave-fittings to be put on board of vessels purchased in American ports by Portuguese, Spaniards, or Brazilians. And I have further to instruct you to call the attention of Her Majesty's Consuls to this matter.

I am, &c.
(Signed) CLARENDON.

No. 699.

The Earl of Clarendon to Mr. Crampton.

Sir, *Foreign Office, February 24*, 1854.

I TRANSMIT to you herewith a copy of a despatch‡ from Her Majesty's Commissioners at Loanda; and also a copy of a letter§ addressed by Rear-Admiral Bruce to the Board of Admiralty, respecting the capture of the American slaver "*H. N. Gambril*," by the American frigate "Constitution."

I have to instruct you to express to the United States' Government the satisfaction of Her Majesty's Government at the capture of this slaver; and with reference to what is stated in the inclosed papers as to the number of slave-vessels sailing under American colours, and as to the manner in which the "*H. N. Gambril*," when chased by the "Constitution," hoisted the British ensign, I have to instruct you to call the attention of the American Secretary of State to the abuse thus made of the United States' and British flags; and to say that Her Majesty's Government consider that it would be very desirable that some measure should be adopted for putting a stop to this disgraceful practice.

I am, &c.
(Signed) CLARENDON.

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* Class A, Inclosure 1 in No. 145.
† No. 632.
‡ Class A, No. 88.
§ Ibid., No. 140.

No. 700.

The Earl of Clarendon to Mr. Crampton.

Foreign Office, March 7, 1854.

I TRANSMIT to you herewith, for your information, an extract of a despatch* which I have received from Her Majesty's Commissioners at Loanda, in which they state that it will be very difficult to suppress the Slave Trade in the neighbourhood of Ambriz, as long as the flag of the United States continues to be used to cover the speculations of the slave-dealers.

I am, &c.
(Signed) CLARENDON.

No. 701.

Mr. Crampton to the Earl of Clarendon.—(Received March 8.)

My Lord, *Washington, February 19, 1854.*

WITH reference to your despatch of the 26th ultimo, I have the honour to transmit herewith to your Lordship a copy of the note in which I have communicated to the Government of the United States the apprehension entertained by Her Majesty's Government that slave-vessels intended for the African and Cuban Slave Trade may, henceforward, be chiefly fitted out in the ports of the United States, and have requested them to give directions to their custom-house authorities to exercise particular vigilance in preventing any slave-fittings being put on board vessels purchased by Portuguese, Spaniards, or Brazilians, in the ports of the United States.

I have also the honour to inclose to your Lordship a copy of a circular despatch in which I have called the particular attention of Her Majesty's Consuls in this country to this matter.

I have, &c.
(Signed) JOHN F. CRAMPTON.

Inclosure 1 in No. 701.

Mr. Crampton to Mr. Marcy.

Sir, *Washington, February 16, 1854.*

THE strict watch which has been kept by Her Majesty's cruizers on the coast of Cuba, together with other circumstances, of which Her Majesty's Government have lately been informed, have led them to conclude that henceforth attempts will be made more frequently to fit out in the ports of the United States vessels intended for the conveyance of slaves from Africa to that island.

I have consequently been instructed to call the attention of the United States' Government to this matter, and to suggest, more especially as a means of defeating the designs of slave-traders, that directions should be given to the custom-house officers of the United States to exercise particular vigilance in preventing any slave fittings from being put on board vessels purchased by Portuguese, Spaniards, or Brazilians.

I avail, &c.
(Signed) JOHN F. CRAMPTON.

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* Class A, No. 92.

Inclosure 2 in No. 701.

Mr. Crampton to Her Majesty's Consuls in the United States.

Sir, *Washington, February* 17, 1854.

INTELLIGENCE having reached Her Majesty's Government, which leads them to apprehend that slave-vessels intended for the African and Cuban Slave Trade may henceforward be chiefly fitted out in the ports of the United States, I have been instructed by the Earl of Clarendon to request the Government of the United States to give special directions to their custom-house officers not to allow any slave-fittings to be put on board of vessels purchased in American ports by Portuguese, Spaniards, or Brazilians. At the same time I have been directed to call your particular attention to this matter; and I have to request that you will transmit to me such information as may come to your knowledge on this subject.

I am, &c.
(Signed) JOHN F. CRAMPTON.

No. 702.

The Earl of Clarendon to Mr. Crampton.

Sir, *Foreign Office, March* 10, 1854.

I HAVE received your despatch of the 19th ultimo, and I have to acquaint you that I approve the letter which you wrote to the Secretary of State of the United States, and the circular which you addressed to Her Majesty's Consuls in the ports of that country, respecting the equipment in American ports of vessels intended for the Slave Trade.

I am, &c.
(Signed) CLARENDON.

No. 703.

Mr. Crampton to the Earl of Clarendon.—(Received March 21.)

My Lord, *Washington, March* 6, 1854.

I HAVE the honour to inclose herewith an extract from the "National Intelligencer" newspaper, containing the copy of a resolution introduced into the Louisiana Legislature, in regard to a supposed intention on the part of Spain to "Africanize" Cuba by the emancipation of the slaves.

In connection with this subject, I have also the honour to inclose an article from the "Washington Sentinel," a paper which supports the present Administration, in which an attempt is made to revive the absurd rumour which for some time prevailed in regard to a supposed agreement between Great Britain and Spain for "Africanizing" Cuba, by a reference to a passage in a speech delivered by your Lordship in the House of Lords on the 31st of January last.

I have, &c.
(Signed) JOHN F. CRAMPTON.

Inclosure in No. 703.

Extract from the "National Intelligencer" of February 28, 1854.

THE following resolution was introduced into the Louisiana House of Representatives on Tuesday of last week, and after some discussion referred to the Committee on Federal Relations:

Resolved, That the late news from Havana gives evidence of the intention of Spain to "Africanize" the Island of Cuba by the emancipation of their slaves; and, believing the people of Louisiana have a deep interest in preventing it, we, as representatives coming directly from the people, express our disapprobation of the tolerance shown by the present Federal Administration by its non-interference.

No. 704.

The Earl of Clarendon to Mr. Crampton.

Sir, *Foreign Office, March* 27, 1854.

I HAVE received your despatch of the 6th instant, inclosing an extract from the "Washington Sentinel," and a copy of a resolution which has been introduced into the Louisiana Legislature relative to a supposed intention on the part of Her Majesty's Government to establish an African empire in the Antilles.

You will state to Mr. Marcy, and in any other quarters that you may think advisable, that Her Majesty's Government give the most unqualified contradiction to the absurd rumour that such an intention ever has been, or ever will be, entertained by Her Majesty's Government.

I am, &c.

(Signed) CLARENDON.

UNITED STATES. *(Consular)—New York.*

No. 705.

Consul Barclay to the Earl of Clarendon.—(*Received July* 11.)

My Lord, *New York, June* 23, 1853.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 26th February last, with the copy of a despatch and of its inclosures from Sir Richard Pakenham therein mentioned, respecting a vessel, the "*Don Pedro Segundo*," suspected to be employed in the Slave Trade, although chartered to carry a legal cargo from Lisbon to New York.

This vessel, a brig, arrived here under Brazilian colours several weeks ago, having a legal cargo of wine and cork-wood; and, in compliance with your Lordship's instructions, I have kept a watch on her proceedings.

Her burthen is estimated at about 350 tons; she came consigned to J. A. Machado, a Portuguese; her commander is Manuel Dias Pinheiro, a Galician by birth; the second mate is a Spaniard, an old slaver. Since her arrival here new and squarer yards have been put on her, and her other spars have been replaced with larger; a narrow white streak has been painted on her bow. She has been taking staves on board, said to be for Lisbon. The recent change, to enable her to carry more canvas, leads to the suspicion that after discharging her cargo of staves at Lisbon she may proceed on a slave-voyage. She is now ready to go to sea. Nothing has been observed to take place about her here directly indicating the intention of a slave-voyage.

I have, &c.

(Signed) ANTH. BARCLAY.